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The Negro

IN THE HISTORY OF
THE UNITED STATES



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The Negro
In the History of the United
States

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From the Beginning of English Settlements
in America, 1607, to the
Present Time

WITH THE CONSTITUTION OF THE
UNITED STATES

and
Illustrations

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BY

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BRENHAM, TEXAS

1905

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by

H. M. Tarver.

PREFACE.

An urgent need and a loud and serious call for a faithful account of the Negro in the United States, as he has moved and had his being, in the midst of material things, as a bondman and as a citizen, are the aims which this work hopes to answer. It is also felt that the nature of such a work requires, like all history, a logical and faithful setting in time, place and environment, natural and artificial, to render it something more than a myth or a fable. The achievements of the Negro, therefore, and the influence, silent and active, which he has exerted on American life and the influence of that life upon him, are treated as a part of the unit of American progress and enlightenment.

The seeming disparagement of this phase and factor in Western civilization by renowned authors of other races, has not eliminated them, but has left the subject in its virgin purity to be presented, in works of this kind, by members of the race. This book, then, is the logical demand of the hour and is dedicated to that great body of the reading public, the infant and the aged, among us, so long neglected but so thoroughly anxious to know all sides of the whole truth.

H. M. T.

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Discovery of America.

CHAPTER I.

COLUMBUS.

The brisk overland trade that grew up, as a result of the Crusades, between Europe and the countries of Southeastern Asia, was stripped of its profits early by the fierce Saracen hordes who plundered and slaughtered the caravans returning with their treasures of gold, carpets and the famous spices from India and Arabia. The call everywhere pressing for a safer and less burdensome route to the East was answered by Christopher Columbus, a bold Italian navigator, who announced that the earth was round and that by sailing westward he would reach Asia. With much difficulty Columbus received a commission and assistance in ships and men at the hands of Isabella and Ferdinand of Spain, and set sail in August, 1492, on his perilous journey, but was

stopped October 12, 1492, by land, resembling Asia in the kind and abundance of its vegetation and the appearance of its people, but which proved to be the continental islands of America. News of this voyage threw all Europe into a frenzy of excitement, and every maritime power rushed its navigators in pursuit of this great prize.

ENGLAND.

John Cabot.—A voyage was planned by Henry VII of England, and John Cabot was sent out to find a northwest passage to India. Cabot discovered North America and explored the Atlantic coast as far south as Massachusetts in 1497, several months before Columbus touched the mainland of South America.

NATIVE INHABITANTS.

American Indians.—The first Europeans that came to this continent found the country inhabited by about 200,000 non-European people, in a savage state, living mainly in four loosely bound confederacies, with here and there segregated tribes scattered over the intervening territory. These four prominent divisions were, (1) the Five Nations in the valley of the St. Lawrence, New York

and around the Great Lakes; (2) the Seminoles, Creeks, Cherokees, Choctaws and Chickasaws, in the territory of the present Gulf States east of the Mississippi River; (3) the Aztecs of Mexico, and (4) Pueblos of Colorado and the North Pacific coast. These people, whom Columbus called Indians, were preceded by a more ancient race, known as the Mound Builders, from the curious mounds left by them in the upper Mississippi valley. The Five Nations, reduced by disease and wars, were scattered to the Northwest, while the Pueblos vanished before the ever spreading frontier settlements. The second and third divisions have exhibited greater physical and mental endowments, and except for their general coalescence with the negro people by the second, and with the Negroes and Spaniards by the third division, they have remained distinct till the present.

Explorations.

CHAPTER II.

THE SPANISH.

Spain led off in the matter of explorations in the New World as it had done in its discovery. Following the route traversed by Columbus, De Leon explored Florida in 1512, Balboa Central America in 1513, De Narvaez in 1528 and De Soto in 1541 explored the Gulf States and the Mississippi River, and La Salle Texas in 1682.

But it was upon the explorations of the company brought over by De Narvaez and led first by De Vaca and then by a giant genius, the Negro Estevanico, in 1528-39, who was perhaps the first Christian priest to travel and teach in America, that Spain based her best claim to all the southwestern part of North America.

ESTEVANICO.

The leader of the band of four that traversed

the Gulf States, the Rio Grande and Pueblo country as far as California, was shown by the Spanish archives and by the historian Bancroft to have been Estevanico, a Negro. Estevanico had visited America with Columbus on his last voyage, and was, because of his valuable knowledge of the New World and the language and customs of the natives, sought out to accompany this expedition. Estevanico not only proved a valuable guide, but the fearless leader of this first great expedition to the interior. It was, therefore, upon the incomparable courage, endurance and Christian leadership of this Negro that Spain's claim to more than half of North America rested; and the story of how Spain failed to defend with the sword and in the world's market what this courageous black won for her among hostile savages, over sharp Teutonic competition, is told in the independence of Mexico and the expansion of the United States.

May it yet be revealed through the ages that this son of Darker Africa was laboring like ten millions of his brothers today, without applause, for the righteous aggrandizement, ultimately, of this Union and his Aztec brother, whose blood and destiny are so inseparably united with his own.

The First Permanent Settlements in the New

World were made by the Spanish under Menendez at St. Augustine, Florida, in 1565, and by Espejo at Santa Fe, New Mexico, in 1582.

England Sent Out Expeditions to continue the search for the northwest passage and explore the new continent under Frobisher and Drake, and made unsuccessful attempts at colonization, under Gilbert and Raleigh, on the coast of Virginia and Carolina in 1580-86.

The first permanent English settlement was made at Jamestown, Virginia, in 1607 by the London Company under Captain Newport.

France planted colonies on the island of Nova Scotia in 1505 under DeMonts and at Quebec in 1508 under Champlain.

Holland claimed the territory lying in the valley of the Hudson river, on the explorations of Henry Hudson, an Englishman in the employ of the Dutch East India Company, and settled at New Amsterdam, now New York, at the mouth of the Hudson in 1613.

To Avoid Complications and insure reasonable justice to the competing nations in America, an international agreement was made, declaring that midway between the settlements made on the coast by two nations should be the dividing line,

and that a nation making the first permanent settlement at the mouth of any river, that nation should own all the territory drained by such river and its tributaries.

English Settlements.

CHAPTER III.

VIRGINIA.

The transfer of Raleigh's grant in the New World, the southern part to the London Company and the northern to the Plymouth Company, was the beginning of an industrial and economic policy, which alone was calculated to make good the English claim to the Atlantic seaboard, and ultimately the powerful government of the United States.

The London Company sent out about 500 cavaliers under Captain Newport, who settled Jamestown in 1607.

The first dozen years saw only misery and failure in the colony. Four changes in the charter served only to convince them that prosperity could not be brought about by legislation.

SLAVERY.

A great demand in Europe for tobacco, a native American plant, and the raising of cotton, first in Virginia about 1617, developed a labor problem which was solved only by the introduction of Negro slaves in 1619. In this year a Dutch captain brought over a ship load of Africans and sold them as slaves to the colonists. This was by no means an accident, as both Spain and England had tried Indian slaves in the mines of South America and on their plantation colonies, but was the result of industrial and economic conditions, which gave and will continue to give the distinguishing characteristic to the greatness of America. The part the Negro played in this greatness, whether viewed by the economist as a mere asset or by the sociologist as a mute environment, is everywhere visible and has been indispensable at every stage of American life. The history of the first dozen years is summed up in the four peaceful political revolutions, dependence on the scanty supply of the impoverished savages, the marriage of John Rolfe to Pocahontas, and the Starving Times.

With the Negro Came Prosperity to the Colony.

The forests were cleared and vast plantations of

corn, tobacco and cotton were cultivated by the slaves, and the foundation of the Old Dominion was made secure, through the trade in these products of Negro labor, with Europe and the New England settlements.

Special Laws were made for the government of the slaves, the purpose of which was to keep them in utter ignorance and docility. The question of Negro slavery, viewed from all sides save that of justice and humanity, was too large and too important to fail of governmental notice. The system, however, did not reach its fullest development till about the beginning of the Civil war, when it was to be broken up.

Free Negroes.—Almost from the first there were free Negroes in Virginia, who were, by law, denied the privileges of schooling and of worship in the churches, and whose lot was otherwise rendered almost as hard as that of the slaves. Before the age of great cotton plantations in the South, the price of slaves was so low that many industrious Negroes made money enough, at odd times, plying some ingenious handicraft learned in their native African heaths, to buy themselves and families. Others were often liberated for performing some very meritorious service for their owners or the

public. Out of these gloomy conditions, however, came some exceptional artisans and scholars and many sublime characters.

Tom Fuller, a Virginia slave, exhibited exceeding genius and erudition in the science of mathematics, and was widely known as the Virginia calculator. A notice of the death of Fuller, published at the time in the newspaper of the colony, is appended.

“Died.—Tom, the famous African calculator, aged 80 years. He was brought to this country at the age of 14, with many of his unfortunate countrymen and sold to Mrs. Elizabeth Cox of Alexandria, whose property he now is. This man was a prodigy; he had perfectly acquired the use of enumeration. He would give the number of poles, yards, feet, inches and barleycorns in a given distance—say the diameter of the earth’s orbit, and in every calculation he would produce the true answer in less time than it would take ninety-nine out of a hundred men with their pens. And what was perhaps more extraordinary, though interrupted in the progress of his calculations and engaged in discourse upon any subject, his operations were not thereby in the least deranged. Thus died Negro Tom, this untaught arithmeti-

cian, this untutored scholar. Had his opportunities of improvement been equal to those of thousands of his fellowmen, neither the Royal Society of London, the Academy of Science at Paris, nor even a Newton himself need have been ashamed to acknowledge him a brother in science.”—(Johnson.)

Indian massacres in 1622 and 1644 and Bacon's rebellion in 1676, during which Jamestown was destroyed, were some of the later troubles that worked great hardships on the colony.

Slavery, General.

CHAPTER IV.

MASSACHUSETTS.

Massachusetts was settled at Plymouth by Puritan separatists from the established Church of England in 1520. Other non-separatist Puritans settled the Bay Colony in 1528. Almost no progress was made in these colonies during the first half a century, on account of religious troubles, the Famine of 1623, King Philip's War, charter troubles with England and the Salem Witchcraft.

Slavery Was Introduced into Massachusetts at an early date, 1630, but never proved very profitable in any of the New England colonies. The system differed somewhat in the nature of the treatment of slaves from the practices that prevailed in the agricultural colonies at the south.

NEGROES IN COLONIAL ARMY.

At the beginning Negroes were enlisted in the

colonial militia and were given religious training. On account of the constantly threatening attitude and occasional outbreaks of neighboring Indian tribes, notably King Philip's War and the Pequod War, and because of a strong religious zeal, the churches and newspapers advocated a more humane treatment lest the Negroes should be driven to join the enemy, either the Indians or the British.

PARTIAL EMANCIPATION.

Many Slaves Were Set Free and others won their freedom in the colonial courts. The royal governors violently opposed this system of gradual emancipation, and vetoed laws passed by the colonial legislatures setting free and giving public lands to Negroes who gained prominence by meritorious acts in defense of the colonies during the border troubles.

Many famous scholars appeared among the slaves as well as among the free Negroes of New England.

PHILLIS WHEATLEY.

Phillis, a slight girl of 12 years, was brought from Africa and sold at public auction in Boston

in 1761 to a Mrs. Wheatley, who placed the girl in better surroundings and taught her to read. Phillis mastered the English and Latin languages in an astonishingly short time and contributed



Phillis Wheatley.

many widely read and universally admired articles to the papers and magazines, both of America and England. But it was her poetic genius that astonished and delighted the reading world most

on two continents. She was set free at the age of 20 and traveled extensively in Europe, where she was received by the royalty and renowned scholars with the greatest cordiality.

She returned to America in 1779 and died five years later. Her life was a model of uprightness and her transcendent Christian virtues won for her universal respect and admiration. One of her poems sent to George Washington brought the following reply in a letter the great general wrote to her :

“Cambridge, Feb. 1776.

“Miss Phillis:—Your favor of October 26th did not reach my hands till the middle of December. * * * I thank you most sincerely for your polite mention of me in the elegant poem you enclose; and however undeserving I may be of such encomiums and panegyric, the style and manner exhibit a striking proof of your poetic talents, in honor of which and as a tribute justly due you, I would have published the poem, had I not been apprehensive that while I only meant to give the world this new instance of your genius, I might have incurred the imputation of vanity. This and nothing else determined me not to give it place in the public print. If you should ever

come to Cambridge or near headquarters, I shall be happy to see a person so favored by the Muses, and to whom nature has been so liberal and beneficent in its dispensation.

“I am with great respect,

“Your humble servant,

“GEORGE WASHINGTON.”

Slavery in Middle Colonies.

CHAPTER V.

NEW YORK, NEW JERSEY AND DELAWARE.

New Netherland was settled by the Dutch in 1613 and was the headquarters of the slave trade in the colonies. The bold and unbearable cruelty with which the slaves were treated by the Dutch traders and settlers drove them to an open revolt, during which the notorious slave pen with a large part of the city was burned in 1712.

Milder laws affecting the slaves were soon after made, permitting free Negroes, possessing two hundred dollars worth of real property or paying rent on that amount, to vote.

Many wealthy and religious persons liberated their slaves in consonance with the growing liberal sentiments diffused by immigrants to the colony, after it passed from Dutch to English control.

MARYLAND.

Maryland Was Settled in 1634.—Lord Baltimore established a plantation colony on the Potomac River as a refuge for Catholics persecuted under the Protestant regime in England. The condition of the slaves in Maryland was much the same as it was in other Southern colonies. The presence of numerous white slaves, however, whose term of service was limited, infused an element into it which rendered the system of Negro slavery exceedingly complex, so much so that laws were passed by Maryland as a colony and many more as a State, to prevent inter-marriage between white and Negro slaves, and others fixing the status of children born of such marriages in case it should continue. The following are two of the inter-marriage laws:

“A Law.—Be it known that any white female slave who shall marry a Negro slave shall have her period of servitude doubled and such Negro slave shall be stricken with *thirty-nine* stripes.

Another—

“A Law.—Be it known that children born of such Negro slaves and a white female person, should her period of servitude be out, shall go

to the master of such Negro slave and continue in slavery for their natural lives.”

Of one of these unions came the father of Benjamin Banneka, but the period of servitude of the white slave, Molly Welsh by name, had expired and she succeeded in buying the Negro Banneka and married him according to prevailing laws.

BENJAMIN BANNEKA.

This Famous Astronomer and Mathematician was free born though of slave parentage, in Maryland in 1739. Benjamin had the advantages of an early education in the existing system of schools, along with the children of other races. His common school education completed, Banneka was given the privilege of using the laboratory and astronomical instruments of a wealthy neighbor of a scientific turn of mind, and soon became known throughout America and England as a great astronomer and mathematician. His work showed him to be eminently worthy of this renown. He constructed the first clock made on the continent, and published the first almanac based on astronomical science, in America. Poor Richard's Almanac, published by Benjamin Franklin, was a periodical newspaper and laid no pre-

tentions to being an almanac based on celestial science and phenomena at all.

Banneka was an able and tireless champion of the cause of his people in America, arguing in public addresses and by correspondence the fitness of the Negro for freedom and citizenship. An answer to one of these letters by Thomas Jefferson follows:

MR. JEFFERSON'S LETTER.

“Mr. Benjamin Banneka,

Near Ellicott's Lower Mills, Baltimore County:

“Dear Sir:—I thank you sincerely for your letter of the 19th instant, and for the almanac it contained. Nobody wishes more than I do to see such proof as you exhibit that nature has given to our black brother talents equal to those of other colors of men, and that the appearance of a want of them is owing to the degraded condition of their existence both in Africa and America. I can add with truth that no one wishes more ardently than I do to see a good system commenced for raising the condition both of their body and mind to what it ought to be as fast as the imbecility of their present existence and other circumstances which can not be neglected will

admit. I have taken the liberty of sending your almanac to the secretary of the Academy of Science at Paris, because I consider it a document to which your whole color had a right for their justification against the doubts which have been entertained of them.

“I am with great esteem, Sir,

“Your obedient servant,

“THOMAS JEFFERSON.”

Thos. Jefferson was perhaps the boldest and most effective opponent of slavery to be found among the great men of the South, and in his draft of the Declaration of Independence he charged that the British crown had all along supported the institution of slavery.

Mr. Jefferson's charge on this point follows:

“Determined to keep open a market where men should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce, and that this assemblage of horrors might want no fact of distinguished die, he is now exciting those very people to rise in arms among us, and purchase that liberty of which he has deprived them, by murdering the people on whom he has obtruded

them; thus paying off former crimes committed against the liberties of one people with crimes which he urges them to commit against the lives of another."

Slavery was introduced into America, as a system, by a royal permission of Queen Elizabeth, and after the destruction of the Spanish Armada and England had gained the mastery of the sea, both the government and private shipping equipments of the empire engaged in the slave traffic.

Associated with Banneka in his plea and labors for better treatment of his people was the slave woman Frances Watkins, widely known as the first great Southern writer of poetry of a high literary character. Her poems, though rare, are still read by a large circle and show the genuine poetic art and literary finish. A sample of her work on her favorite theme, though not her masterpiece, when criticised from the poet and scholar's point of view, follows:

Like a fawn from the arrow, startled and wild,
 A woman swept by me bearing a child;
 In her eye was the night of a settled despair,
 And her brow was overshadowed with anguish and
 care.

1. ad
 17. 1/2
 can. 1/2

She was nearing the river—on reaching the brink
She heeded no danger, she paused not to think!
For she is a mother—her child is a slave—
And she'll give him his freedom or find him a
grave!

But she's free—yes, free from the land where
the slave
From the hand of oppression must rest in the
grave;
Where bondage and torture, where scourges and
chains,
Have placed on our banner indelible stains.

The blood-hounds have missed the scent of her
way;
The hunter is rifled and foiled of his prey;
Fierce jargon and cursing, with clanking of chains,
Make sounds of strange discord on Liberty's plains.

With the rapture of love and fulness of bliss,
She placed on his brow a mother's fond kiss—
Oh! poverty, danger, and death she can brave,
For the child of her love is no longer a slave!

Slavery in the South.

CHAPTER VI.

SOUTHERN COLONIES.

The system of slavery established in the Southern colonies, the Carolinas settled by a body of English nobles and aristocrats under Lord Clarendon at Albemarle in 1663 and Georgia by Lord Baltimore in 1732, as a refuge for oppressed debtor classes in England, differed in many essentials from the New England system. On account of the unprofitableness of slave labor and the Quaker and Puritan religious sentiments, slaves were emancipated in many of the New England States before the Civil War, while in New Hampshire, though authorized by law, the people refused to own or deal in slaves. The slave system reached its highest development in the South, where vast plantations of cotton, tobacco, sugar-cane and rice were cultivated by slave labor, in the midst of which grew up that distinct type of American life known as the Southern Aristocracy, whose ideas of government were embodied in John Locke's *Grand Model* in South Carolina.

Many Slaves Were Overworked and otherwise brutally mistreated by individuals blind to every-

thing but personal gain. Every custom and law calculated to render this class of property secure and productive of greater riches, however severe, found support among this class of owners. These practices debauched both master and slave and cast an undeserved reproach upon the entire South, when in fact the great body of Southern owners treated their slaves kindly and instructed them in truthfulness, sobriety and the other Christian virtues.

Minority Opposition.—There was always a respectable minority in the South that opposed slavery, and while the system was vast and in many cases severe, it was for the most part as humane as could likely be.

Florida, Louisiana and Texas were so different from the other Southern States in their early history and in the nature and incidents of their slave regimes that they deserve separate mention.

FLORIDA.

Florida Was the First of the Spanish colonies in North America and indeed St. Augustine, Florida, 1565, was the first permanent European settlement on the continent. It continued in the possession of Spain till 1819, when it was ceded to the United States, in a purchase of the Spanish claim to the territory west of the Rocky mountains.

The Spanish resorted to the enslavement of Indians till they proved unprofitable and imported

Africans to work the mines of South America and in the plantation colonies even before the English did. But the practices of the two nations in this matter were vastly different. The Spanish, themselves mixed with the Latin and Moorish races of the East, had less aversion to a further mixture with neighboring people than did the English. In Florida, as in Mexico, Cuba and the other colonies, the Castilians inter-married freely with the native and Negro inhabitants, either by law or the prevailing custom. This practice rendered slavery well nigh inoperative in Florida under Spanish rule and developed a mixed nationality, known as mulattoes, whose legal status became that of their fathers and not their mothers, as was the case in English colonies.

The mild laws and milder practices in Florida and the unfriendly relations between the Spanish and English colonies drew thousands of free and slave Negroes from South Carolina and Georgia into this territory.

NEGRO GOVERNMENT.

Blount's Fort Government.—Hundreds of slaves escaping from the neighboring English settlements into the Everglades of Florida, fortified Blount's Fort and established an independent government in those almost inaccessible morasses that lasted for forty odd years. More permanent, indeed,

was it than was the French authority in Louisiana or the Dutch in New Netherland.

Many thousands more joined the Seminole and Creek Indians, with whom they freely inter-married, and moved westward into Florida, Alabama, Mississippi and finally into the present Indian Territory and Oklahoma. If the Negro does not boast of the abundant infusion of English, Spanish and French blood, he may, in keeping with the First Families of Virginia, those of all the Gulf States, Arkansas and Oklahoma, justly boast of the blood of Osceola, the Seminoles and Creeks, a better endowed and more lasting people than those of Pocahontas, flowing through their veins.

The French Type.

CHAPTER VII.

LOUISIANA.

The French owned the territory of Louisiana, extending from the Mississippi northwestward to the Pacific coast, till 1803, when it was purchased by the United States for \$15,000,000.

French claims to this territory were based on the explorations of La Salle in 1682, who crossed the country from the French settlements in Canada and sailed down the Mississippi to its mouth.

Slavery, if such it may be called, existed in the French settlements in and around New Orleans, from its establishment in 1718. It was rather the rule for the colonists to marry among the slaves, and such marriages were readily acknowledged by the Catholic church, which was ever loath to tolerate slavery in any form. The blacks were received into the churches and have continued to worship along with other races till the present time. Many prominent mulattoes, commonly known as creoles, came of these unions,

and the property and other things which combined to make and intrench the French nobility in the Southern Louisiana country, went to the offsprings of these unions, and there continues to exist a wealthy and aristocratic element of Negroes in the larger cities of Louisiana, and particularly New Orleans, that came down from the old French regime.

ALEXANDRE DUMAS.

Alexandre Dumas, famous everywhere in the languages where he is spoken, as a novel and play writer, was the son of a French officer and a Negro mother, born 1802. Dumas' "Monte Christo" and his "Three Musketeers" have been read perhaps more than any books except the Bible.

M. Dumas left New Orleans and went to France, where he amassed a princely fortune by his writings.

The Spanish Type.

CHAPTER VIII.

TEXAS.

Texas was claimed by Spain as a part of Mexico and by France on the explorations of La Salle as a part of Louisiana. This disputed boundary question was transferred to the United States in the purchase of Louisiana in 1803. Though Texas had won her independence from Mexico in 1836, Mexico did not relinquish her claims to Texas or agree to any definite boundary till the end of the Mexican war in 1845.

Mexico, under whose authority Texas was settled, forbade the bringing in or holding of slaves within the territory of Texas. Many Negroes, however, were brought in under the pledge to adopt the system of peonage practiced in Mexico, but the development of the type of servitude peculiar to the system prevailing in the United States caused Mexico to pass laws declaring all slaves free at 14 years of age in 1828. A later enactment proclaimed freedom to all Negroes unconditionally. At the breaking out of the Texas Revolution, Mexico offered every inducement and assistance to the slaves to escape into Mexico.

Many Negroes joined the Mexican army and thus gained their freedom at no great cost to the independence of Texas.

Mexicans in Texas, after the Revolution, continued to live and marry among the slaves, and by an ingenious system of underground railway, contrived to assist hundreds of Negroes to escape across the Rio Grande.

The Planters of Texas soon suspected the Mexican teamsters in connection with this wholesale exodus of slaves to Mexico, and many minor outbreaks occurred. In one of these, known as the Cart War, trouble of a sanguinary nature was narrowly averted. This generous admixture of Aztec and Negro blood appears to have enriched both and these marital and social relations have been fruitful in the development of a distinct sociological element in the whole Texas group.

Texas won its independence from Mexico in 1836 and established an independent republican government, which lasted till its peaceful annexation to the United States in 1845.

The Inter-Colonial Wars.—King William's war in 1689-97, Queen Anne's war in 1702-13, and King George's war 1744-48, were but echoes of the wars between England and France at home. The French and Indian war in 1754-63 was waged over the disputed territory west of the Alleghany mountains. England was victorious and gained the disputed territory and all of Canada.

Revolutionary War.

CHAPTER IX.

The attention which the French and Indian War drew to the American colonies showed them to be more prosperous in material things, more capable in war and far more alarmingly imbued with the spirit of independence and nationality than was thought possible by the mother country. Measures of repression were at once enacted and those already existing were strengthened.

King and parliament vied with each other in checking this spirit of independence and in turning this stream of wealth toward the English treasury.

The Navigation Act already passed, the abolition of charters, the Stamp Act and the taxing of the colonies to meet the expenses of the recent wars, were resisted everywhere by the Americans.

The sending over of British soldiers to enforce obedience to these laws and to quiet the growing discontent with implements of war, served only to fan the prevailing disquiet into open rebellion.



Crispus Attucks, the first to strike a blow and first to shed his blood for American Independence

CRISPUS ATTUCKS.

The Boston Massacre.—The British guard stationed at Boston very early became unbearable in their insults and persecutions of the people. On such an occasion in 1770, the Negro giant Crispus Attucks, in keeping with the spirit that prevailed in the colonies, called a few of his white neighbors together and led them against the British soldiers, beating them back with clubs till the guard was ordered to charge; at the first fire Attucks, the immortal black, alone fell and another volley brought two of his white comrades to his side. Thus the first blow of the Revolutionary War in defense of American independence was struck and the first blood was shed by the black patriot, leader and martyr, Crispus Attucks. The whole country was aroused and threats of summary violence to the guard and treasonable utterances against the parliament and the king were heard throughout the country.

The Historian Goodrich Says: “The guard now marched out with guns loaded. They met a great crowd of people, led on by the giant Negro, Attucks. At last Attucks with twelve of his followers began to strike upon their muskets with clubs, and to cry out to the crowd, ‘Don’t be afraid—they dare not fire—the miserable cowards—kill the rascals—crush them under foot!’ Attucks now lifted his hands against the captain of the guard and seized hold of his bayonet. At

this instant the firing began. Attucks dropped dead immediately. The soldiers fired twice more and two others were killed. On the 8th of March the three slain citizens were buried. The shops were all closed during the ceremony, and the bells in Boston and the adjoining towns were all the while tolling."

Attucks took no part in the singing we hear all the while, "Give me liberty or give me death," but was the first American to defy and hurl back the enemy and invaders of his country—the first to choose liberty and death—the first martyr to his country's cause.

A NATIONAL SIN.

For a constitution, framed by the same generation of patriots, to sanction the enslavement of a race to which the first leader and martyr to its independence belonged, is one of the prodigies of history—was the scarlet crime of the age. Out of this war, in which he performed the patriot's role so nobly, were to come questions, when settled right, that meant the freedom and enfranchisement of his race, in the land so abundantly enriched by their blood and brawn. The promises of freedom, made by the eager witnesses to this courage and heroic martyrdom on Boston Common, suffered postponement and delay in the constitutional convention for three-quarters of a century, but not defeat. Attucks and his people

were so much a part of the warp and woof of that sentiment which developed into American independence and nationality, without which patriotism is anarchy, that the promises made then and fulfilled in 1860 to 1865, with all the intervening consequences, were inevitable results, as just, natural and logical as were the cause and results of the Revolution itself.

All nations combined to erect a monument of marble to his memory, his people were liberated and enfranchised, and yet the full measure of those promises, under God, in the nature of the causes that inspired them, have not been meted out.

INVENTIONS.

The inventions of the cotton gin by a Maryland Negro and the transmitter used in the Bell telephone by Granville Woods show how the Negro has contributed to the wealth and convenience of the world in time of peace.

Freemen and Slaves in One Cause.

CHAPTER X.

THE WAR BEGINS.

The war of the Revolution now opens in all its fury. The country impoverished by the French and Indian war was unorganized and without an army, but the spirit of Attucks was abroad in the land. American reverses on Long Island, at Monmouth, Camden and the agonies of Valley Forge were abundantly counteracted by the victories at Trenton, Saratoga, on the sea and the surrender of the British at Yorktown in 1781.

COLONIAL ARMY.

Negro Soldiers.—More than 60,000 Negroes enlisted and served in the ranks during the Revolutionary war. About 8000 in the North joined the American army, and over 50,000 served with the British under the promise of freedom in the Southern and Middle colonies. This first movement toward honorable enlistment of slaves by the

British and the promise of emancipation had the effect of securing their sympathy and support throughout the South. The Northern colonies had not neglected the opportunity of enlisting both free and slave Negroes in that section from the first, and as the war was waged for the first few years exclusively at the North, the idea of utilizing the great body of slaves in the South seems not to have occurred to them. Two things served to prevent enlistment of Southern Negroes: First, the great Tory element in all the Southern colonies that not only would not allow their slaves to join the colonial army, but themselves joined the British and encouraged the slaves of Revolutionary sympathizers to accept the British terms of enlistment. The other was the British offer of freedom to slaves.

An attempt to defeat the logical results of this offer of freedom and pare the plan of enlistment of Negroes by the British, is shown by a letter from Alexander Hamilton to John Jay, then president of the Continental Congress, on the subject:

“New York, March, 1779.

“To John Jay:

“Dear Sir:—Col. Laurens, who will have the honor of delivering you this letter, is on his way to South Carolina on a project which I think, in the present situation of affairs there, is very good and deserves every kind of support and encourage-

ment. This is, to raise two or three or four battalions of Negroes, with the assistance of the government of that State, by contributions from the owners in proportion to the numbers they possess. If you think proper to enter upon the subject with him, he will give you a detail of his plan. He wishes to have it recommended by Congress and the State, and, as an inducement, they should engage to take those battalions into Continental pay. It appears to me that an experiment of this kind, in the present state of Southern affairs, is the most rational that can be adopted, and promises very important advantages. Indeed, I hardly see how a sufficient force can be collected in that quarter without it, and the enemy's operations are growing infinitely more serious and formidable. I have not the least doubt that the Negroes will make very excellent soldiers with proper management, and I will venture to pronounce that they can not be put in better hands than those of Mr. Laurens. He has the zeal, intelligence, enterprise and every other qualification necessary to succeed in such an undertaking.

“It is a maxim with some great military judges that, ‘with sensible officers, soldiers can not be too stupid,’ and, on this principle it is argued that the Russians would make the best troops in the world if they were under other officers than their own. I mention this, because I hear it frequently objected to the scheme of embodying Negroes, that

they are too stupid to make soldiers. This is so far from appearing, to me, a valid objection that I think their want of cultivation (for their natural faculties are probably as good as ours), joined to that habit of subordination from a life of servitude, will make them sooner become soldiers than our white inhabitants. Let officers be men of sense and sentiment, and the nearer the soldier approaches to machines perhaps the better. I foresee that this project will have to combat much opposition from prejudice and self-interest. The contempt we have been taught to entertain for the blacks makes us fancy many things that are founded neither in reason nor experience, and an unwillingness to part with property of so valuable a kind will furnish a thousand arguments to show the impracticability or pernicious tendency of a scheme which requires such a sacrifice. But it should be considered that if we do not make use of them in this way the enemy probably will, and that the best way to counteract the temptation they hold out will be to offer them ourselves. An essential part of the plan is to give them their freedom with their muskets. This will secure their fidelity, animate their courage, and I believe will have a good influence upon those who remain by opening a door to their emancipation. This circumstance, I confess, has no small weight in inducing me to wish the success of the project, for the dictates of humanity and true policy equally

interest me in favor of this unfortunate class of men.

“With the truest respect and esteem, I am, sir,
“Your most obedient servant,
(Johnson) “ALEXANDER HAMILTON.”

The Tory element in the States of South Carolina and Georgia was so strong and property in slaves was so valuable that Col. Laurens failed utterly in his plan. British governors in these colonies had already issued orders granting freedom to all such slaves as would join the royal army. In Georgia and South Carolina more than 35,000 joined the British under that system.

A letter from George Washington to the American, Col. Laurens, on the condition so familiar to him in that section, is given :

WASHINGTON'S LETTER.

“I must confess I am not at all astonished at the failure of your plans. That spirit of freedom which at the commencement of this contest would have gladly sacrificed everything to the attainment of its object has long since subsided and every selfish passion has taken its place. It is not the public but private interest which influences the generality of mankind, nor can Americans any longer boast an exception. Under these circumstances it would rather have been surprising if you had succeeded, nor will you, I fear, have better success in Georgia.”

Black Heroes.

CHAPTER XI.

THE BLACK SCOUT.

Caleb Barbour.—One of the most daring feats of the Revolution was performed by Caleb Barbour, a free Negro of New York. Barbour served through the entire campaign at the North and contributed more to the ultimate defeat of the British in that section than any other one man.

The British were stationed on the almost inaccessible heights of Stony Point, the key to the British supplies in Canada by way of the old French and Indian route. General Anthony Wayne, who was sent against that fort, was about to give up in despair, when the Negro Caleb Barbour, the famous Revolutionary Scout, returned to camp in possession of the British countersign and led the Americans up the perilous way, in the dead of night, on within the enemy's lines and to victory. One of the bloodiest encounters of the war ensued, in which the British received a crushing defeat, a defeat which rendered General Gates' victory at Saratoga sure and complete.

Of This Battle the Historian Barnes Says:

“The capture of Stony Point was one of the most brilliant exploits of the war. The countersign, which curiously enough was, ‘The fort is ours,’ was obtained by a Negro. He guided the troops in the darkness to the causeway leading over the flooded marshes around the foot of the hill on which the fort was situated. The unsuspecting sentinel, having received the countersign, was chatting with the Negro, when he was suddenly seized and gagged. An instant more and the deafening shouts told that the fort was won.”

Thus it is seen how the Negro, Barbour, possessing freedom but not citizenship in terms of the Colonial law, was the one man who secured for the Americans this strategic point and cut Burgoyne off from his base of supplies in Canada.

Peter Salem, who, when the American forces were routed with great slaughter at Bunker Hill, dashed into the thickest of the enemy and shot the fierce British officer, General Pitcairn, dead as he mounted the ramparts to demand the surrender of the remaining Americans, was a Massachusetts slave.

Samuel Charlton, complimented by George Washington for exceptional bravery at the battle of Monmouth, where General Lee proved a traitor to his country.

James Armstead, a famous scout under Lafayette's command.

Prince Whipple, who captured the British General Prescott, and aide to General Washington in the first American victory at Trenton, were some of the Negro soldiers of the Revolution particularly distinguished for bravery. Several hundred of these brave men were pensioned for life by the new republic.

George Washington emancipated his slaves after the war closed, as did Jefferson and many other prominent Southerners. Lafayette, the French nobleman who contributed his means and his talents to secure the independence of the American colonies, was disappointed on his visit to the United States in 1824 to see many of the brave soldiers who fought with him through the war and all their brothers still slaves to the people they had helped so nobly to make free, and declared: "I would never have drawn my sword in the cause of America if I could have conceived that thereby I was founding a land of slavery."

Kosciusko, the brave Pole, left an endowment of \$20,000 in this country for the education of the Negro children. Many others of noble impulses expressed the deepest shame that the brave Negro soldiers and their kith and kin were so woefully neglected when the war was over.

THE TREATY OF PEACE.

The treaty of peace between America and Great Britain was painfully delayed for two years after

the suspension of hostilities, and the adoption of the constitution was not secured till four years later. The main obstacle that stood in the way of peace and delayed the treaty so long was the dogged persistency with which England clung to its promise to protect and provide for her Tory allies in the Southern colonies, many of whom had fled to Canada, leaving their lands and slaves to the mercy of their hostile neighbors. The 50,000 or more Negroes who served through the entire war in the British army on the promise of freedom were shamefully deceived and neglected, and were handed over, in many cases, as munitions of war, to the victors, while thousands of others were taken by them and sold into slavery in the Barbadoes.

The Constitutional Convention.

CHAPTER XII.

FRAMING THE CONSTITUTION.

The constitutional convention which met in Philadelphia in May, 1787, had no more perplexing question to deal with than that of slavery. The fierce antagonism between the slave States and free States brought the convention and the proposed constitution painfully near the verge of disruption and defeat. The questions "Were slaves to be reckoned as persons or chattels," the three-fifths compromise, "Prohibiting the further importation of slaves and the proposition to exclude slavery from the Northwest Territory," were questions which New England and South Carolina particularly fought over, on opposite sides, with passionate denunciations and threats of secession, throughout the entire five months session of the convention.

On the question of providing two houses of Congress, one to embody Mr. Hamilton's idea of

a strong central government and State representation, the other Mr. Jefferson's for a direct representation of the people, South Carolina witnessed a change of faith and insisted upon the counting of slaves as persons along with other inhabitants in fixing the basis of representation in Congress. This insistence was met by the proposition of direct taxation, whereupon the Southern colonies readily accepted the "three-fifths" compromise.

The question of preventing further importation of slaves was compromised by prohibiting it after twenty years, in 1808. The proposition to prohibit slavery in the Northwest Territory was also adopted.

The impression, therefore, that the constitution ignored the question of slavery comes with no truth and with very bad grace.

TYPES OF THE TWO SECTIONS.

It can be no more the province of sociology than of history to note that the West and Northwest were and will continue to be what Pennsylvania is in all the essential elements of civil life and that the South and Southwest will continue a faithful prototype of South Carolina. Immigrants to this country that go into the Northwest imbibe the sentiments of Philadelphia, and those to the Southwest pass through and carry with them the sentiments of Charleston; so that the Mason and Dixon Line is as logical as it is certain; and any effort,

civil or military, of whatever proportions, put forth to obliterate it strikes at the very foundation sentiments of the government and must fail woefully.

THE COTTON GIN.

The invention of the cotton gin by a Negro of Georgia and perfected by Whitney in 1793, gave an impetus to the raising of cotton that called into service well nigh the entire carrying equipment of the world, to import slaves into the Southern States to meet this new demand for labor. So profitable was the trade in human beings, and so thoroughly numb was the conscience of the world to the vice of human slavery, that thousands of white slaves, commonly known as indentured servants, were brought from the centers of population in Europe, till at one time they outnumbered the blacks in the Middle colonies.

The cloud which enveloped Whitney's claim to the invention of the cotton gin from the first drew to the subject close investigation, which shows that a Georgia Negro was the real inventor. Again the question, "What has the Negro given to the world?" is answered. An extract from a letter from the assistant librarian of Congress is given:

"Washington, D. C.

"My Dear Mr. Murphy:—Replying to your favor of the 24th inst., I desire to say Eli Whitney was a white man, born in Massachusetts in 1765,

and went to Georgia in 1792 to take charge of a school near Savannah. He gave some attention to the matter of separating the seed from the cotton which is called ginning, and was done wholly by hand. His claim as inventor has been successfully disputed and in controversy the claim was made that he imbibed the idea from a Negro slave on the plantation of Mrs. Gen. Nathaniel Greene, and was seeking to impose on the public by claiming the idea as original with himself. So incensed were the planters at the dubious character of his claim that, in a body, they broke into the barn where the model machine was being exhibited and destroyed it and forced Whitney to flee for his life. Very sincerely yours,

“DANIEL MURRY.”

The New Government.

CHAPTER XIII.

EARLY DIFFICULTIES.

The administration of the new government began with the election of George Washington to the presidency in 1789. An empty treasury, Indian wars, the whisky rebellion and efforts of England to further impair the credit of the United States abroad, were some of the difficulties that confronted the country during Washington's administration. Adams, the second president, was defeated for a second term on account of his leaning toward the Alien and Sedition Laws. The development of the idea of party government resulted in the election of Jefferson, the father of Democracy.

Jefferson's administration witnessed the purchase of Louisiana in 1803, invention of the steamboat in 1807, and the expiration of the twenty years term, after which slaves could not legally be imported into the United States, 1808. A system of smuggling, by which hundreds of thous-

ands of Negroes were brought to America, took the place of the former constitutional right. The United States census reports of 1790 showed 40,370 slaves in the Northern States, consisting of New Hampshire 158, Vermont 17, Massachusetts none, Rhode Island 952, Connecticut 2759, New York 21,324, New Jersey 11,323 and Pennsylvania 3737; and 657,527 in the Southern States, comprising Delaware 8887, Maryland 103,036, Virginia 193,427, North Carolina 100,572, South Carolina 107,094, Georgia 29,264, Kentucky 11,830 and Tennessee 3417. The strong abolition party that grew up under the influence of Washington and Jefferson in Virginia rapidly melted away in the presence of the great demand and rich remuneration put upon slave labor by the invention of the spinning jenny and the power loom in England and the cotton gin in America.

Although the treaty of peace between England and the United States was signed in 1783, apparently in good faith, Great Britain predicted that the new experiment of a republican form of government in America would fail, and constantly cherished and sought every opportunity to hasten on the dissolution. The Indians were incited to every manner of depredations on the frontier settlements. American commerce was preyed upon and our sailors were pressed into British service. These troubles brought on the second war with England.

Second Foreign War.

CHAPTER XIV.

WAR OF 1812.

The war of 1812, without which the achievements of the great Revolution would have been rendered fruitless, was, strangely enough, violently opposed at the North, and was characterized in Congress and by Northern orators as the Southern war. With respect to the Negro, conditions were the exact reverse of those during the Revolution. Thousands of free Negroes enlisted and served with rare distinction throughout the war, both on land and sea.

AT NEW ORLEANS.

Negro Soldiers to the number of 500 served under General Andrew Jackson at the famous battle of New Orleans. As to their bravery and soldierly conduct, the following speech made to them by General Jackson on the eve of battle and the official report of Commodore Shaler are sufficient testimony:

GENERAL JACKSON'S SPEECH.

"To the Men of Color—Soldiers: From the shores of Mobile I have collected you to arms. I invited you to share in the perils and to divide the glory with your white countrymen. I expected much from you, for I was informed of those qualities which must render you so formidable to an invading foe. I knew that you could endure hunger and thirst and all the hardships of war. I knew that you loved the land of your nativity, and that, like ourselves, you had to defend all that is most dear to man. But you have surpassed all my hopes. I have found in you, united to those qualities, that noble enthusiasm which impels to great deeds.

"Soldiers, the president of the United States shall be informed of your conduct on the present occasion, and the voices of the representatives of the American nation shall applaud your valor as your general now praises your ardor. The enemy is near. His sails cover the lakes, but the brave are united, and if he finds us contending among ourselves it will be for the prize of valor and fame, its noblest reward."

COMMANDER SHALER'S REPORT.

"At Sea, Jan. 1st, 1813.

"My officers conducted themselves in a way that would have done honor to a more permanent

service. The name of one of my poor fellows who was killed ought to be registered in the book of fame and remembered with reverence as long as bravery is a virtue. He was a black man by the name of John Johnson. A 24-pound shot struck him in the hip and took away all the lower part of his body. In this state the poor brave fellow lay on deck and several times exclaimed to his shipmates, 'Fire away, my boys; don't haul the colors down!'

(Johnson.)

In South Carolina—The slaves in many of the Southern States had now come to outnumber the whites. Groundless fears, therefore, of a Negro uprising caused them to pass very harsh and oppressive laws against the slaves. In South Carolina, the slaves outnumbered the whites two to one, and in Mississippi the proportion was even larger than that. In these two States the high water mark of severe customs and legislation was reached.

A National Question.

CHAPTER XV.

ABOLITION SENTIMENT.

True to the promise made at the breaking out of the war of the Revolution, the Northern States passed laws liberating the slaves, when it was seen that the constitution contained no provisions for it. Where the State machinery was slow in redeeming the pledge thousands of individuals set their slaves free. The zeal which the Southern States exhibited in the constitutional convention, for the perpetuity and even extension of slavery into other sections, and the enormous proportions which the system was gaining by the importation of thousands of Negroes yearly, aroused the anti-slavery leaders in the North, brought recruits to their ranks and gave a more settled determination to slavery agitators in that section.

ORGANIZATIONS ESTABLISHED.

Numerous anti-slavery societies were organized in Northern cities and many political parties that contended for National control presented platforms and candidates in open opposition to slavery.

The Liberty Party Platform, 1839: "Resolved, That in our judgment every consideration of duty

and expediency which ought to control the action of Christian freemen requires of the Abolitionists of the United States to organize a distinct and independent political party, embracing all the necessary means for nominating candidates for offices and maintaining them by public suffrage. We pledge ourselves to the abolition of slavery in the District of Columbia and in the territories, the abolition of the inter-state slave trade, and our opposition to slavery to the extent of using all constitutional methods for its abolition."

The Free Soil Party Platform, 1848, Martin Van Buren, candidate: "A common resolve to maintain the rights of free labor against the aggressions of the slave power, and to secure free soil to a free people is our pledge. We propose no interference with slavery within the limits of any State. It was the settled policy of the nation from 1784 to 1800 not to extend, nationalize or encourage slavery, and to this policy the government ought to return. Congress has no more power to make a slave than to make a king, and we contend that the only safe means of preventing the extension of slavery into territory now free, is to prevent its extension into such territory by an act of Congress. We accept the issue which the slave power has forced upon us, and to their demand for more slave States and more slave territory, our calm but final answer is, 'No more slave States and no more slave territory.' There

must be no more compromises with slavery; if made, they must be repealed."

The Free Democratic Platform, John P. Hale, candidate: "Slavery is a sin against God, and a crime against man, which no human enactment nor usage can make right. The Fugitive Slave Law of 1850 is repugnant to the constitution; we therefore deny its binding force on the American people, and demand its immediate and total repeal. Slavery is sectional and freedom national. We inscribe on our banner, Free Soil, Free Speech, Free Labor and Free Men."

Republican Party Platform,, 1854, John C. Fremont, candidate: "Resolved, That the maintenance of the principles promulgated in the Declaration of Independence and embodied in the Federal constitution, is essential to the preservation of our republican institutions; and the Federal constitution, the rights of the States and the union of the States shall be preserved. That we deny the authority of Congress or a territorial legislature or any individual or association of individuals to give legal existence to slavery in any territory of the United States, while the present constitution shall be maintained.) That constitution confers upon Congress sovereign power over the territories and their government, and that in the exercise of this power it is both the right and the imperative duty of Congress to prohibit in the territories those twin relics of barbarism—slavery and polygamy."

The above Republican platform was aimed at the famous Dred Scott Decision and the Kansas and Nebraska trouble, as well as the extension of slavery in general.

A violent storm of opposition to this anti-slavery agitation was aroused at the South, kept always within the limits of the constitution, however.

The Democratic Platform, 1856, James Buchanan, candidate: “Resolved, We reiterate with renewed energy of purpose the well-considered declarations of former conventions upon the sectional issue of domestic slavery.”

The John C. Breckenridge Platform of the Democratic party in 1860: “Resolved, That enactments to defeat the Fugitive Slave Law, or in any way disturb the institution of slavery, are revolutionary in their effect.”

Alexander H. Stephens.—In answer to the vehement appeals and demands of Northern orators, Alexander H. Stephens of Georgia declared in announcing the organization of the Confederate government to the world in 1861: “Our new government is founded upon exactly the opposite idea to the freedom and equality of races; its foundations are laid, its corner stone rests upon the great truth that the Negro is not equal to the white man; that slavery—subordination to the superior race—is his natural and normal condition.”

Both Sections Aroused.

CHAPTER XVI.

SLAVERY FURTHER AGITATED.

The press and pulpit of the North combined to stay the engulfing tide of slavery, and the most sensational literature of every class was scattered broadcast over the country. New publications were established solely to combat slavery.

Benjamin Lundy, one of the early abolition agitators, published "The Genius of Universal Emancipation" at Baltimore.

William Lloyd Garrison brought out "The Liberator" in 1831, declaring that he would publish it till every slave in America was free. "The National Reformer," edited by William Whipper, a former slave, had the effect of solidifying New England in its opposition to slavery and won the support of the Central and Western States. Other agitators were Wendell Phillips and Elijah Lovejoy.

The Missouri Compromise of 1821 was the culmination of a fierce struggle between the pro-slavery and anti-slavery leaders in Congress. This compromise bill admitted Missouri as a slave State,

but fixed the northern limit of slave territory at the southern boundary of that State; which was after all a decided victory for the pro-slavery advocates. The Kansas and Nebraska bill of 1850, put forward by Stephen A. Douglas, to admit Kansas and Nebraska to the Union and leave the question of slavery to be settled by the people of those States, practically nullified the Missouri Compromise. Kansas, though north of the southern limit of Missouri, was admitted as a slave State.

The Fugitive Slave Law.—This law provided for the return of slaves escaping into free States. The law grew out of the alarming number and strange conditions surrounding the escape of slaves from the South into free States. It was evaded in thousands of cases by assisting the escaping slaves into Canada or to Europe. It was passed by Congress in 1850, mainly by Southern support. Personal Liberty Bills were passed by the Northern States to offset the Fugitive Slave law. Congress had passed the Fugitive Slave law, and the system of underground railroad, though right as to conscience, was a flagrant violation of the United States law.

The Dred Scott Decision by the Supreme Court of the United States was that the slave Dred Scott, though carried into free territory, remained a slave.

The case of Scott was brought primarily to test

what was termed an invasion of the North by the Southern slave system, but was presented as a direct indictment by Scott and his wife, charg-



Dred Scott.

ing that they had been unlawfully deprived of their liberty and that thereby unlawful hands had been laid upon them. In his decision on this point Chief Justice Taney ruled that "A Negro had no rights, under the Constitution, which any man was bound to respect."

John Brown's Raid in 1859, like the Nat Turner rebellion in Virginia in 1831, was the act of a frenzied fanatic who attempted to free the slaves



Frederick Douglass.

with a mere handful of followers. It failed miserably and Brown was hanged. This had the effect of arousing the South as nothing else had done.

Underground Railway.—An unlawful practice, of assisting slaves to escape from the South into Canada was carried on by zealous abolitionists in the North, in an effort to assist the lowly and oppressed.

A National Anti-Slavery Convention met in Boston in 1831. Plans were adopted by which the blacks might be freed. More than one thousand anti-slavery societies were formed under the authority and direction of this convention in the North.

Frederick Douglass.—The coming of Douglass, a runaway slave from Maryland, into the sphere of the abolition excitement with a fresh story and a new and convincing eloquence, served as a fuse to touch off whatever latent passion and power there might still be slumbering in the Puritan heart. The proverbial last straw and the culmination of the inordinate abolition sentiment was presented to the world in "Uncle Tom's Cabin," a story, very largely fiction of course, by Mrs. Harriet Beecher Stowe.

ELECTION OF 1860.

The Republicans nominated Abraham Lincoln of Illinois on a platform pledging the limitation of slavery to the territory then occupied, and declared that "The normal condition of all the territory of the United States is that of freedom. That the reopening of the African slave trade

under the cover of our National flag is a crime against humanity and a burning shame to our country's age."

The Democratic Party Split in convention and nominated three candidates—J. C. Breckenridge, John Bell and Stephen A. Douglas. This divided the vote of that party and assured the election of the Republican candidate.

Upon Mr. Lincoln's election South Carolina led off, with Mississippi, Alabama, Georgia and Louisiana following closely, in passing ordinances of secession. The Southern Confederacy was formed at Montgomery, Alabama, in February, 1861, with Jefferson Davis as president.

CONSERVATIVE LEADERS.

Efforts were put forth by the more conservative leaders North and South to avert the approaching crisis.

An Amendment to the Federal Constitution was proposed by Crittenden of Kentucky to make the old dividing line of 36° 30' north latitude, along the southern boundary of Missouri, the permanent limit of slave territory, and that all slaves escaping into the free States should be paid for by the general government. This measure failed. A committee of Senators and another from the House of Representatives, composed of Republicans and Democrats, likewise failed to find a basis of compromise. A peace conference was called to meet

at Washington in February before the opening of the new Congress, and twenty-one States sent representatives, but the antagonisms were so pronounced and the differences so wide that nothing was done. Texas, however, under the influence of General Houston, was the only one of the Southern States to await the action of this peace conference before leaving the Union. The Historic Right of Secession was held and argued by Southern statesmen with many facts and much show of fairness and good intentions. The disposition and threats of New England States to secede during the violent discussions of the proposed treaty with Spain for a right to navigate the Mississippi, and again while the negotiations for the purchase of Louisiana were under way, show that the question of secession was at least an open one and that the belief in it was confined to no particular section. Massachusetts passed resolutions declaring that should the proposition for the annexation of Texas be carried out it would force the Northern States to withdraw from the Union.

Every Southern representative in the constitutional convention voted for the compromise measure to exclude slavery from the Northwest Territory, but as the Constitution sanctioned the universal right by common law, to hold slaves and to be protected in the rights of slave property, and as the Southern States had found greater profit in slaves and slave labor since that time, it is not

strange that this section should contend for every right it had under the Constitution as a matter of government. More than this the South did not do. But the conscience and Christian impulses of the world called for a fulfillment of the promises made to the slaves at the opening of the Revolution and for the removal of human slavery from the midst of enlightened society, and no horrors of war or amount of bloodshed could quiet that call.

THE GROWTH OF THE UNITED STATES TO THE CIVIL WAR.

From the Narrow Strip Along the Atlantic comprising the thirteen original colonies, the United States have multiplied their number and area many times by treaty, purchase and conquest. The territory lying between the Alleghany Mountains and the Mississippi River was secured in the treaty of peace with England. Louisiana territory, extending from the Mississippi to the Rocky Mountains, was purchased from France in 1803. Cessions by treaty, from Mexico, extending from Mexico to Oregon in 1848, Washington, Oregon and Idaho by exploration, the Gadsden territory south of the Gila River by purchase in 1853, and Florida purchased from Spain in 1819. All these sections were convulsed more or less by slavery agitations and the war that followed. Into all these possessions Negroes have gone and proved a potent factor in their development.

The War Between the States.

CHAPTER XVII.

SOUTHERN CONFEDERACY.

The Confederate government lost no time in showing that it was in dead earnest. A republican form of government was established and the authority of the Confederacy promptly established over Federal buildings, forts and other property in the Southern States. On the refusal of Fort Sumter to capitulate on the demand of Confederate General Beauregard, it was bombarded and forced to surrender April 14. The attack upon Fort Sumter was the opening gun of the great Civil War. Fortune was all on the side of the Confederacy for the first year of the war, and the crushing defeat of the Union forces at Bull Run in July came dangerously near making good the Southern boast that "They would whip the Yankees and be back to breakfast."

The South had not forgotten the magnificent conduct of the Negroes in the two wars with

England, and lost no time in pressing them into service. A great many free Negroes of Louisiana and Mississippi enlisted in the Confederate army and thousands of slaves were used to fortify and defend Richmond.

President Lincoln, who seemed rather to follow than to lead public sentiment, was with Congress in opposing the enlistment of Negroes in the Union army, and it was not until the successful experiment and serious and persistent recommendations by Generals Hunter in South Carolina, Phelps in Louisiana and Higginson in Florida had changed public sentiment at the North that Congress and the president relented.

Pressure on Lincoln.—An unbroken stream of callers with eloquent pleas and mammoth petitions to the president to proclaim the freedom of the slaves showed only the outward inflexibility of Mr. Lincoln on his inaugural declaration to preserve the Union if possible without interfering with slavery in the States where it existed. This was the first time, perhaps, that Mr. Greeley, who insisted that "Now is the time to strike a blow at slavery, both as a war measure and as a plain duty," broke violently with the president.

Beecher and Sumner made passionate appeals in the name of humanity and the Union, to Mr. Lincoln to proclaim the freedom of the slaves and enlist them to fight for the Union and their own freedom. The president was waiting only

for a favorable opportunity and promised that, as a crowning celebration of the first great Union victory, he would issue such a proclamation. The opportunity came in the battle of Antietam, September 17, 1862, when the Confederate army was driven out of the North and all danger of an attack upon Washington averted. Lincoln now issued his proclamation, prepared in the previous July, declaring the slaves in the seceded States free. Mr. Lincoln said: "*I made a solemn vow before God that if General Lee was driven back from Maryland I would crown the result by the declaration of freedom to the slaves.*" This proclamation took effect on the first of the following January, 1863.

NEGRO SOLDIERS.

More than 200,000 Negroes served with distinction in the ranks of the Union army during the Civil War. They were not mercenary troops or adventurers, but freemen now and soldiers, fighting for the Union their fathers helped to make possible at Boston, Bunker Hill, Trenton and Stony Point, and to render valid everywhere that proclamation which gave freedom to four millions of their brothers.

very Discouraging Conditions surrounded the enlistment of Negro soldiers. They were to serve for half pay and were given no quarter if captured.

A widespread disposition to test their bravery and other soldierly qualities as well as a lingering objection to their enlistment caused them to be exposed to the dangers and hardships of many uneven contests.

The Black Regiments.

CHAPTER XVIII.

PORT HUDSON.

In the second expedition against Vicksburg, Grant had taken Port Gibson, Jackson and Vicksburg and defeated Pemberton at Champion Hills and Big Black River, while Banks was pounding away on Port Hudson ineffectually for several weeks with a regiment of the best troops of the Army of the West in May, 1863. With a rest only long enough to breakfast, after an all night march, two companies of Negroes, known as the Black Regiment, under Col. Nelson, were assigned the almost impossible task of taking the fort. The first five charges were repulsed with great slaughter, when the last company of the Black Regiment, maddened by the yell of "No quarter" that came from the fort, charged over the bodies of their fallen brothers and hung on till the Confederate General Bragg retreated from his almost impregnable intrenchments, leaving it in the hands of the Negro troops.

MILLIKEN BEND.

General Banks with his same regiment of black troops, the next month, defeated the Confederates at Milliken Bend against great odds in numbers and position of the two armies. The Confederates lost two hundred killed, five hundred wounded, two hundred taken prisoners and two cannons.

The New York Times, reporting the battle of Port Hudson, in an editorial said: "General Dwight, at least, must have had the idea that they (the Negro troops) were men, but something more than men, from the test to which he put their valor. The deeds of heroism performed by these men were such as the proudest white men might emulate." (Johnson.)

General Banks, in his official report of this campaign, said: "It gives me pleasure to report that they (the Negro regiment) answered every expectation. Their conduct was heroic."

THE FIFTY-FOURTH REGIMENT.

FORT WAGNER.

An attempt to take Charleston and its auxiliary fortifications resulted in disastrous failure. General Gilmer attacking it on land, threw his veteran soldiers of two wars against Fort Wagner without effect, when Colonel Shaw with the Fifty-fourth Regiment of black soldiers, after resting only five minutes from a two days march through

fierce blinding storms, took their place at the very front of the attacking column and in the first charge hoisted their flag on the enemy's works.

The historian Barnes says of this battle: "Two unsuccessful charges were made on this fort. In one, the Fifty-fourth Regiment, Colonel Shaw, bore a prominent part. It was the first colored regiment organized in the free States. In order to be in season for the assault, it had marched two days through heavy sands and drenching storms. After five minutes rest it took its place at the front of the attacking column. The men fought with unflinching gallantry, and planted THEIR FLAG on the works."

FINAL STRUGGLE.

With Grant around Richmond. There were about 30,000 Negro troops in the final campaign against the Confederate capital, who preformed prodigies of valor, in the battles of the Wilderness, Spottsylvania, Cold Harbor and Petersburg.

The Last of the Three Plans.—The opening of the Mississippi, the blockade of the Southern ports and the capture of Richmond was now completed, with the fall of Richmond and the surrender at Appomattox. The Mississippi was opened by Grant at Forts Henry and Donelson and Vicksburg, and at New Orleans under Commodore Foote and General Butler.

Southern ports were blockaded easily after the

battle of the Merrimac and Monitor in Hampton Roads, March 8, 1862, in which the Merrimac, the only formidable ironclad of the Confederacy, was disabled.

WAR ENDED.

General Lee's surrender at Appomattox April 9, 1865, ended the war between the States.

President Davis of the Confederate government escaped from Richmond into Georgia, where he was captured April 10th. He was indicted for treason and sent to prison at Fort Munroe, where he languished for two years, but was never brought to trial on the indictment.

ASSASSINATION OF LINCOLN.

President Lincoln was shot by John Wilkes Booth, an actor at Ford's Theater, in Washington, on the night of April 14, 1865, just five days after the close of the war.

The country, full of rejoicing at the return of peace, was thrown into universal sorrow and wild excitement. Fears were felt, in every section, that this was the inauguration of a general reign of terror, but it proved to be the act of an insane individual without sympathy from any section or connection with any prominent persons interested in the great conflict just closed.

Reconstruction.

CHAPTER XIX.

CONGRESS AND PRESIDENT JOHNSON.

Violent differences arose between Congress and the President over the matter of readmitting or re-establishing civil government in the seceded States. President Lincoln insisted that the States had not been out of the Union, but simply in rebellion, and that it was only necessary to replace the military regime instituted to suppress the rebellion with civil authority. His plan was to restore the State government to the people as soon as the loyal people, if they should constitute one-tenth of the entire population, elected State officials. His assassination upset this plan. Vice President Andrew Johnson became President.

Mr. Johnson Was a Union Democrat from Tennessee, and was thought by ardent Unionists and anti-slavery leaders to be in sympathy with that section on the question of slavery, the great question of the war. Mr. Johnson came up from the substantial middle classes and thoroughly hated the wealthy and aristocratic leaders, arguing that

they alone were responsible for the war. He therefore put severe restrictions upon their re-admission to citizenship and suffrage.

Congress.—The representatives from the ten Southern States were denied admission by Congress, and these States were divided into five military districts and placed under martial law.

Thirteenth Amendment.—The Federal constitution was amended in December, 1865, prohibiting slavery in the States and territories of the United States. General Granger, in command of the Fifth Military District, arrived at Galveston June 19, 1865, and declared freedom to the slaves in Texas on that date.

The Tenure of Office Bill, a measure designed to prevent the President from removing from office high executive officials antagonistic to his reconstruction views, the Freedman's Bureau and Civil Rights bill were passed over the President's veto.

The President Impeached.—For attempting to remove Secretary of War Stanton, in violation of the tenure of office bill, the House of Representatives impeached President Johnson in 1868, but his conviction lacked one vote in the Senate.

The Freedman's Bureau.—A department of the National government to protect and provide for the destitute Negroes and whites in the South, known as the Freedman's Bureau, was established by Congress and General Howard was placed at

its head. The new department established schools and a system of banks throughout the South to teach the elements of business transactions and encourage thrift and provide security for the fruits of their labor. The Bureau proposed to divide the public lands in the Confederate States among the ex-slaves, and unscrupulous carpet-bag leaders argued that the right policy went further, even to confiscating the estates of leading secessionists and dividing it also among the freedmen. The Freedman's Bureau, in all except the public school system it established in the South, proved a miserable failure. The banks failed through mismanagement, relieving the credulous Negroes of thousands of dollars of the first fruits of their free labor. The confiscation bogy and the "forty acres" promised the faithful freedmen proved equally deceiving. These unwise and more often unscrupulous practices were the bane of the South for many years and worked incomparable hardships upon whites and blacks alike in the Southern States.

MUTUAL UNDERSTANDING.

There were many things in common between the whites and blacks of the South, and the most tender and enduring ties of friendship, born of a thorough understanding of each other, existed and will continue to exist, when free from the

influences of vicious intermeddlers, ignorant of the nature of these relations.

KU KLUX KLANS.

An organization in the South, designed to check the recklessness of the carpet-bag governments, though it often fell into the hands of wicked persons, took the place of the former civil order and was indispensable in the midst of the disorders immediately following the war.

During President Grant's administration nearly all the States of the South, where the great body of freedmen resided, were brought under the control of the Republican party through their suffrage largely, and the Legislatures and many of the minor executive offices of these States were filled by the carpet-bag leaders from the North and the newly liberated and enfranchised Negroes. Neither class owned any considerable property, and the character of civil and military administration was of the crudest sort. The great body of property owners in that section had been practically disfranchised and the Ku Klux Klans were instituted, to preserve and safeguard society and property rights. These "Klans" were succeeded by suffrage restrictions, brought about by constitutional convention in most of the Southern States, that have marked the practical elimination of the Negroes from politics and consequently all manner

of participation in the administrative affairs of the State governments.

Many demagogues have been elevated to high office on the sole argument of "white supremacy," and the totally impossible scare-crow of "Negro domination." The administration of State affairs, however, has been exceptionally clean and statesmanlike, and the property, educational and distinct social advancement of both races has been phenomenal under the reign of general concord and mutual good will that survived through all these stirring times. Henry W. Grady, before the New England Society, spoke the sentiments of the South when he declared that if nothing more stood to the credit of the Southern Negro than his protection and support of the homes, women and children during the war between the States, he should ever hold the race in confidence and affectionate remembrance. The hearts that prompted this conduct in the Negro and the universal sentiment expressed by Mr. Grady will preserve the peace and good will of the races to the end of time.

The Negro in Civil Life.

CHAPTER XX.

PROGRESS IN RECENT TIMES.

At the breaking out of the war between the States there were 4,000,000 slaves and more than a quarter of a million free Negroes in the United States. The body of these people in the South, emancipated in 1865, were unlettered, ignorant of the elements of the very laws under which they were to live, unschooled in the theory and practice of business transactions and without a dollar. They have, under all these hardships, produced scholars, eminent in all the avenues of thought, have taken places of honor in all the learned professions and have accumulated \$1,200,000,000 worth of taxable property in these forty years of freedom.

NEGRO IN POLITICS.

Though ushered too soon into the toils and
turmoils of active politics, whose pitfalls the wisest



Senator Hiram R. Revels

Robert C. DeLarge

Benj. S. Turner

Josiah T. Wall

Jefferson Long

Joseph H. Rainey

Robert B. Elliott

A Group of the First Negro Congressmen

can not escape, Negroes have held every high elective office in the American government except the presidency. *Twenty-one* Negro Senators and Congressmen have served in the Congress of the nation, two lieutenant governors and one governor, ministers to foreign countries, consuls, judges and representatives in State Legislatures have come out of the great body of ex-slaves in the South. Register of the Treasury, Recorder of Deeds, Collector of Customs, internal revenue collectorships and other high places of presidential appointment have been filled with credit by Southern Negroes.

Senators and Congressmen.—Among the prominent Negroes who have served as Senators and Congressmen might be mentioned Senator H. R. Revells, who took the seat vacated by Jefferson Davis from Mississippi, on the readmission of that State to the Union February, 1870, and who was the first of his race to serve in that branch of the National council. The next Congress had two Negro members, J. H. Rainey of South Carolina and Lang of Georgia. The Forty-second Congress saw four Negroes admitted to membership, among whom was the famous Robert Brown Elliott. In the Forty-third Congress were seven Negroes, with B. K. Bruce in the Senate. *Eight Negroes* served in the Forty-fourth Congress.

In every Congress from the Fortieth to the Fifty-sixth, except one, for thirty-two years, were to be found active and influential Negro members.

EDUCATION.

The progress made by the Negro in education has been remarkable, not only in the professions of teaching, medicine, law and the ministry, but a phenomenal advance has been made in the trades and elementary schools by the great masses. The per cent of illiteracy has been constantly reduced from practically 100 per cent in 1865 to about 40 per cent of the whole population of scholastic age. Statistics disclose the encouraging conditions of attendance and progress of 2,000,000 Negro children in the public schools of the United States and the colleges of all kinds show an attendance of over 100,000. Fisk University, Nashville; Howard University, Washington, D. C.; Atlanta University, Atlanta, Ga.; Tuskegee Institute; Hampton Normal, Hampton, Va.; Wilberforce University, Xenia, Ohio; Roger Williams University, Nashville, Tenn.; Shaw University, Raleigh, N. C.; Wiley, Bishop, Prairie View, Guadalupe and Sam Huston in Texas, and the great number of well equipped normal and industrial colleges maintained in each of the Southern States for Negroes, are turning out thousands of thoroughly prepared men and women of the race yearly. Hundreds enroll yearly in the prominent white universities in New England and the Northern States. Fisk University led off in the great work of preparing Negro teachers for the schools of the South in 1866, and has done more perhaps than any others

to reduce the per cent of illiteracy and to rear the present generation of college bred Negroes. Atlanta University followed close and has continued one of the great colleges for the training of Negroes in the South. The best type of the sectarian colleges of the first class might be mentioned Roger Williams University, Nashville, Tenn., of the Baptist church; Wilberforce University of the A. M. E., and Central Tennessee College, Nashville, Tenn., of the M. E. church. These leading denominational schools have a more or less perfectly correlated system of feeders in the colleges, seminaries and academies in nearly every populous community in the South. Because of the breadth and freedom of these higher denominational and independent schools, they are after all the real backbone of the higher education for the Negroes in the South.

The Songs of America.—As a race the Negro bears the distinction of being the only natural orators and singers among Western peoples. The famous Negro melodies constitute the only distinct type of American songs. Whenever an American of any extraction, whether high or low, is moved to express the tenderest sentiments of his heart in song, he must put on the manner and feelings of the Negro and express himself as such. An inscrutable Providence has decreed that the Negro should write the songs of America. “And he who writes the songs of a nation silently rules the

realm." No company of singers has ever attracted the audiences that greeted the Jubilee Singers of Fisk University, on both sides of the Atlantic.

JOURNALISM.

A half dozen first class magazines and more than three hundred weekly and six or more great daily newspapers are owned and published by scholars of the race. These great molders of sentiment are abundantly assisted and supported by the National Convention of Women's Clubs, of which Mrs. Mary Church Terrell is president, and the National Negroes' Business League, with Booker T. Washington at its head. No part of the modern press has been freer from bias and recklessness than these Negro journals, and no bodies calmer or more thoughtful than these National gatherings. Texas has a separate institution for deaf, dumb and blind children of the race, with Negro superintendent, officers and teachers.

Charges Refuted.

CHAPTER XXI.

INNATE ABILITY.

Doubts Expressed.—Throughout the South serious doubts were expressed in the most convincing language that the Negro was at all capable of mental development. Thousands subscribed to the Alexander H. Stephen idea that the normal condition of the black man was that of servitude, where brute force only was required, but Mr. Stephen lived to see members of that race, on whose destiny he had pronounced the most scathing maledictions, represent his own native State in the Congress of the Nation and to see Negro graduates of Yale and Harvard universities live and teach their people in his native city.

Mr. Calhoun, in one of his great pro-slavery speeches, declared that the structure of the Negro's brain and skull proved conclusively his woful lack of the most common mental endowments, and opened what he called the impassable chasm, when he declared that not until the Negro could conjugate a Greek verb would he take him by

the hand as a brother. His chasm has long since been bridged and passed, for thousands of Negro boys and girls all over the South can conjugate the whole list of Greek verbs as fast and as accurately as could Mr. Calhoun.

The Charge Followed that the Negro could not grapple successfully with the abstruse business problems of the age, but his vast accumulation of wealth during the first forty years of his freedom removes this barrier to his admission to the family of capable races. One after another of those ill-advised bounds put upon his possibilities have been broken asunder and passed.

Tests of his ability on the higher planes of literature and the sciences have been made, but the first honor places he has won in the greatest American universities over his white class-mates answer the test.

The Last Charge.—Perhaps the last bounds set to the Negro's capability was the charge of a lack of capacity for self-government and for the projection of organized endeavor. But the organization of the great African Methodist Church in the United States, with a membership of nearly a million and a half and owning and controlling \$10,000,000 worth of property, and a dozen or more universities, colleges and academies of the first class, prove their self governing capacity.

Several Prosperous Banks owned and controlled

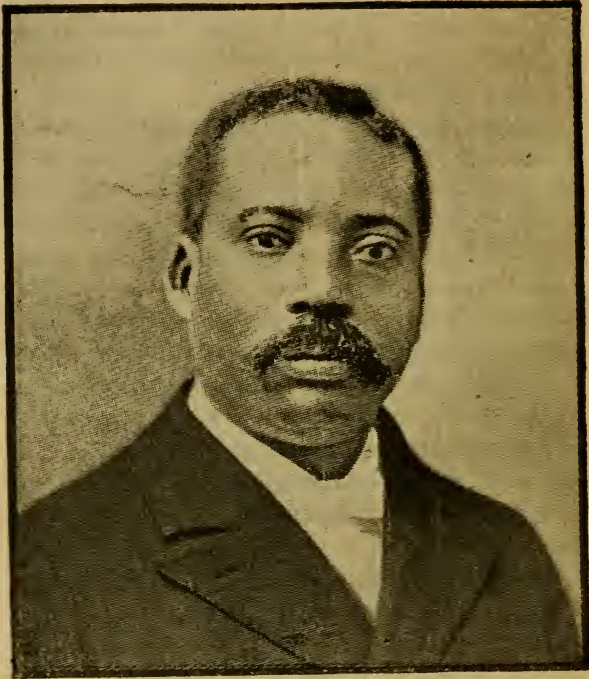
by Negroes, one of which came to the rescue of Charleston, S. C., the proudest city of the South, during the great financial crisis in the spring of 1893, by lending the city government money to pay the teachers, when the white banks of that city were either suspended or were too nearly exhausted to do so. His business capacity, therefore, has stood the test.

Liberia and Haiti.—The splendid republics of Liberia in West Africa and Haiti in the West Indies, organized and controlled solely by Negroes, are the only governments in their respective quarters of the globe that have stood against revolutions within and invasions from without for the last century. The Negro's ability to form and conduct enlightened governments and organized society took a place at first among the seven wonders of the world, but has long since scouted that alarm and placed these republics high in the respect and esteem of the great nations of the world, all of which have diplomatic relations with these Negro republics.

The Baptist Church, with a membership of over 2,000,000 and owning more than \$12,000,000 worth of property, colleges, academies and publishing houses, is controlled by Negroes. X

The Methodist Church.—The Southern membership of the M. E. church is composed almost entirely of Negroes, with one bishop in the epis-

copal council, Dr. I. B. Scott, a senior secretary of the colleges and church extension board, Dr. M. C. B. Mason, and represent millions of



Rev. M. C. B. Mason, Ph. D.

dollars worth of property in a score or more of colleges of medicine, theology and the arts and sciences.

Last Foreign War.

CHAPTER XXII.

SPANISH-AMERICAN WAR.

The war with Spain grew out of the cruel treatment of Americans and a wanton destruction of their property by the Spanish on the Island of Cuba, in an attempt to put down a rebellion on that island. The battleship *Maine* was blown up with two hundred and sixty odd American sailors on board while on a friendly visit in the harbor of Havana in February, 1898.

The Asiatic fleet, under Admiral George Dewey, destroyed the Spanish fleet and fortifications on Manila Bay on the first of May, 1898.

On July 1, 1898, the immense Spanish force of about 50,000 equipped men was defeated by the First, Tenth and First Volunteer cavalries at El Caney and San Juan Hill, and the Spanish fleet under Admiral Cervera was annihilated by Admirals Sampson and Schley in the harbor of Santiago June 3, 1898.

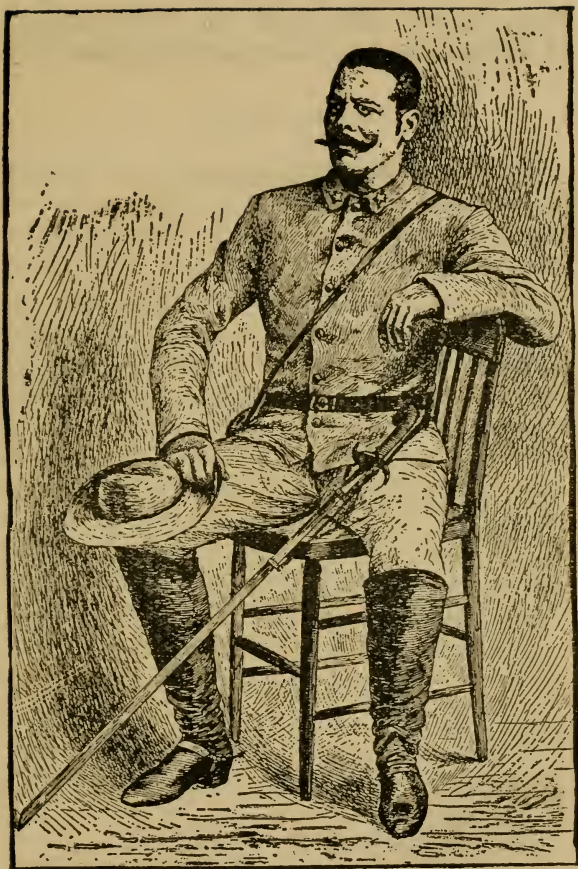
It is within the easy recollection of the present

generation how the Tenth cavalry, the famous Black Regiment of regulars, charged on over the crouching forms of the white troops, saved the Rough Riders from utter rout and slaughter, stormed the block house and carried the American



The Tenth U. S. Cavalry (Black Regiment), at El Caney.

banner to victory and to glory at El Caney and up the heights of San Juan Hill. The question of the Negro's bravery and soldierly qualities, which an incredulous public carried over the facts of the Boston massacre, Fort Wagner and Port Hudson, of Petersburg and New Orleans, was forever put



General Antonio Maceo.

to rest in these charges of the Tenth cavalry of Negro troops. Since that time three regiments of Negroes have been enlisted in the regular army.

GENERAL MACEO.

The most prominent Cuban leader and bravest military strategist was the Negro, General Antonio Maceo, who was treacherously murdered by a hired assassin. Of him President Palma of the Cuban republic said: "General Maceo was loved and supported by all men struggling for Cuban independence, whether in a military or civil capacity, and if a man was ever idolized, that man was Maceo."

Noted Negro Leaders.

CHAPTER XXIII.

SCHOLARS AND STATESMEN.

Frederick Douglass, the great orator, journalist and abolition advocate, was born a slave about 1816 near Eaton, Maryland, and died February 20, 1895. He ran away from his master in 1838 and went to New Bedford, Massachusetts, where in 1841 he began lecturing and writing against slavery. During the three years from 1838 to 1841, he applied himself diligently to the pleasant task of acquiring an education and to every minute detail of the nature and varying sentiments of the question of slavery; so that when he went forth to battle for the freedom of his people, he was the best informed and the most able advocate before the public. In 1845 he published an account of his life, as a slave, a runaway and a freeman, which stood first, at that time, of all publications, in arousing the North against slavery. Between 1845 and 1847 he traveled and lectured with his own inimitable eloquence in England and on the continent. At the breaking out of the war

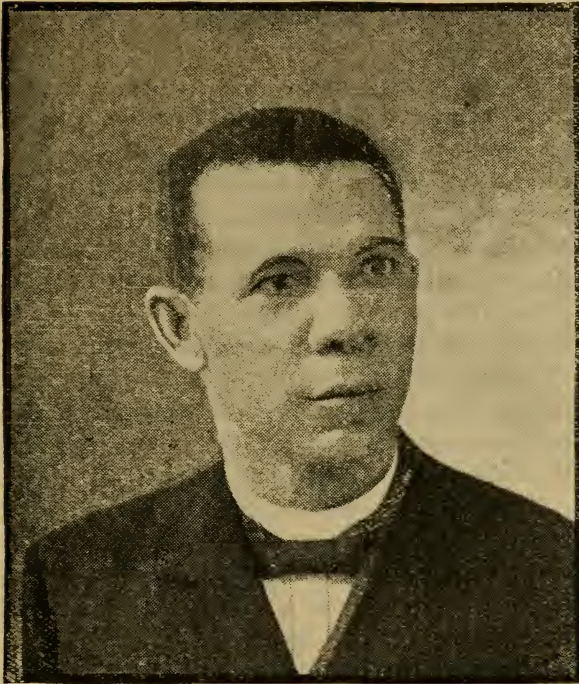
Mr. Douglass advocated the enlistment of Negro troops and personally organized the famous Fifty-fourth Massachusetts regiment of Negro infantry. In 1847 he published the Rochester (N. Y.) Journal and in 1850 the New National Era. His best literary work is his "Life and Times," published a few years before his death. Mr. Douglass filled several public offices with great credit, was registrar of deeds and minister and consul general to Haiti during the last years of his life.

Dr. W. E. B. Du Bois is one of the ripest scholars of the race. He graduated with the degree of Ph. D. from Harvard university and is now professor of History and Sociology in Atlanta university.

John M. Langston was born a slave in Virginia December 4, 1829, but was set free in his early youth and sent to Oberlin college, Ohio, where he graduated in theology and law. In 1869 he was made professor of Law in Howard university, Washington, D. C., where in 1873 he became dean of the law department. He was minister and consul general to Haiti from 1875 to 1885. On his return from Haiti he served as president of the Virginia Collegiate Institute, during which time he published a volume of addresses under the title of "Freedom and Citizenship."

Booker T. Washington was born a slave about 1859 in Virginia and worked his way through the Hampton Industrial Institute. In 1881 he was

called to the presidency of the Tuskegee Industrial College, which was hardly yet begun. In these twenty years he has built up one of the largest



Booker T. Washington.

and most widely known normal and industrial schools in the world, and may justly be called the father of the present system of industrial educa-

tion. Mr. Washington has written several books on education and racial questions that have taken their places among the American classics. He has been called to address audiences of every race and in every quarter of America and has few equals as an orator.

Norris Wright Cuney, the son of a wealthy Texas planter, was born in 1852 near Hempstead and was sent North to school at an early age. He returned to Texas in 1868 and at once, though still a youth, became the safe political leader of his people, which he continued to be until his untimely death in 1896. Mr. Cuney held many important offices, in all of which he made a spotless record. He was for many years city alderman of Galveston and collector of customs at that port during President Harrison's administration. In politics as in business, Mr. Cuney won and held the confidence and respect of all parties.

The Right Reverend Abraham Grant, bishop of the A. M. E. Church, was born a slave about 1851 and strove against positive denials and almost impossible hindrances for a national usefulness and its consequent reward on the loftiest plain of enlightened human endeavor. He had the best private instruction, but took his degree from the great university of experience, and it may be said of him, as of Abraham Lincoln, that while he had little schooling he is one of the best educated men of his age.

Other Great Leaders.

CHAPTER XXIV.

THE GREAT ORATOR.

Robert Brown Elliott was born in 1846 and took his scientific degree in an English university. He came to the United States in 1868 and settled in Charleston, S. C., where he gained a national reputation as a lawyer. He was a member of the Forty-second and Forty-third Congresses from South Carolina. In his famous speech in answer to the assault of Alexander H. Stephens on the civil rights bill, Mr. Elliott proved to be one of the best orators in the National council and caused one of his white colleagues to declare "If I could speak like that Negro, I wouldn't mind being black." His speech:

"Mr. Speaker:—While I am profoundly grateful for the high mark of courtesy that has been accorded me by this House, it is a matter of regret to me that it is necessary at this day that I should rise in the presence of an American congress to advocate a bill which simply asserts rights and equal privileges for all classes of American citizens. I regret, sir, that the dark hue of my skin may lend color to the imputation that I am controlled by motives personal to myself in my ad-

vocacy of this great measure of national justice. Sir, the motive that impels me is restricted by no such narrow boundary, but is as broad as your constitution. I advocate it, sir, because it is right. The bill, however, not only appeals to your justice, but it demands a response to your gratitude. In the events that led to the achievement of American independence the Negro was not an inactive or unconcerned spectator. He bore his part bravely upon many battlefields, although uncheered by that certain hope of political elevation which victory would secure to the white man. The tall granite shaft which a grateful State has reared above its sons who fell in defending Fort Griswold against the attacks of Benedict Arnold, bears the name of John Freeman and others of the African race, who there cemented with their blood the corner stone of your republic. In the State which I have had the honor in part to represent, the rifle of the black man rang out against the troops of the British crown in the darkest days of the American Revolution. I meet him (Stephens) only as an adversary, nor shall age or any other consideration restrain me from saying that he now offers this government, which he has done his utmost to destroy, a very poor return for its magnanimous treatment, to come here to seek to continue by the assertion of doctrines obnoxious to the true principles of our government, the burdens and oppressions which rest

upon five millions of his countrymen, who never failed to lift their muskets and their earnest prayers for the success of this government, when the gentleman was asking to break up the Union and blot the American Republic from the galaxy of nations."

Replying to Representative Beck's question, "What had the Negro done?" he replied: "In quoting this indisputable piece of history, I do so only by way of admonition, and not to question the well attested gallantry of the true Kentuckian, and to suggest to the gentleman that he should not flaunt his heraldry so proudly while he bears this bar-sinister on the military escutcheon of his State—a State which answered the call of the Republic in 1861, when treason thundered at the very gates of the Capital, by coldly declaring her neutrality in the impending struggle. The Negro, true to that patriotism that has ever characterized and marked his history, came to the aid of the Government in its efforts to maintain the Constitution. To that Government he now appeals; that Constitution he now invokes for protection against unjust prejudice founded upon caste."

Gov. P. B. S. Pinchback was born in New Orleans in 1839, served through the Civil war, was lieutenant governor and finally governor of Louisiana.

Blanch K. Bruce.—Mr. Bruce was born in 1841 in Virginia, but moved to Mississippi after the

war. He was a member of the United States Senate for two terms from the State of Mississippi and Registrar of the United States Treasury by presidential appointment for two terms.



Senator B. K. Bruce.

Bishop H. M. Turner was a "Georgia Free Negro," born about 1836. He gained a wide reputation as an orator and man of letters, became bishop of the A. M. E. Church and has urged through

the press, in the pulpit and on the lecture platform the immigration of the Negroes of America to Africa.



Bishop H. M. Turner.

Richard T. Greener came out from the old regime and acquired a liberal education in the best schools of the country. He was a New York civil service examiner for a number of years and dean of the Law school of Howard university. He is now United States consul general to Vladivostock, Russia.

Dr. Wm. Scarborough, a native of Georgia, graduated from Oberlin college and has been professor in Greek and the classics in Wilberforce university. Professor Scarborough is regarded as an authority in Greek, Gothic and Sanscrit languages, and is the author of a Greek grammar that is used as a textbook in Yale university.

Bishop I. B. Scott, a native of Georgia, was born in 1856 and graduated from Central Tennessee college at an early age. He entered the ministry of the Northern Methodist church upon the completion of his education and served in every order of his church from class leader to the bishopric. He was president of Wiley university and editor of the "Southwestern Christian Advocate," the church paper in the South. In 1903 he was elected bishop for the diocese of Africa, the first and only one of his race to be elected to the highest office in the original Methodist church.

There Are Hundreds of Others who have shown bright marks of special endowments of head and heart, a review of whose lives might serve as an inspiration to the generations to come, but the almost superhuman strides made by the great masses on the higher plane of American citizenship, of enlightened living, of wealth, of education and religion are the safe and sane stimuli to the youth of any race or generation.

The unreasonable exception in the case of the

Negro, however, of charging the whole race with whatever depravity and crime appear in a few isolated individuals, might be counterbalanced if that school of critics could be induced to consider the lives and influences of those many thousands of benign characters, scholars, statesmen, artisans, professional men and the great body of law-abiding, wealth-producing Christian citizens in almost every community in America.

NEGRO CONGRESSMEN.

The Negro Has Had Senators in Revels and Bruce, members of Congress in Robert Small, J. R. Lynch, Rainey, Walls, Murry, White, Cheatham, Miller, Langston, Elliott, De Large, Cain, Lang, Hyman, Nash, Haralson, O'Hara, Turner and Rapier, making twenty-one in both houses. Willis Menard having gone in before his State, Louisiana, was properly readmitted, was relieved of his honors before the session was out.

Two lieutenant governors and one governor, P. B. S. Pinchback of Louisiana; Douglass, recorder of deeds; Bruce and Lyons, Registers of the United States Treasury, and others served with distinction as ministers of this government to foreign countries, consuls, collectors of customs and internal revenue collectors, Federal judges, etc. Under the civil service laws more than 3000 educated colored men have passed the examinations and secured

honorable and remunerative positions in the classified service of the National Government, and are making brilliant records in every case. No class of professional men of the race has gained a more uniform standing or done more good or reflected more credit upon the race than the hundreds of competent physicians among us.

STATISTICS.

In every nook and corner, however, the 20,000 upright, intelligent Christian ministers have taught and lifted the benighted and lowly in a truly missionary spirit, when no other agencies could help them. The great laboring masses among us, as in all races, have been the staff and stay of the race. They have accumulated the greater part of the \$1,200,000,000 now standing to the credit of the race. They own a million homes, ranging in value from \$100 to \$50,000 each. They own and cultivate 20,000 farms, and are the great producing classes in the South. They are the heirs and possessors today of that industry, courage and fidelity that built up the wealth, made possible the culture of the ante-bellum South and supported and protected the firesides and families of the Southern soldier in the darkest days of this Southland's history. No people can possess those virtues, under whatever restraint and hardships they may be placed, without becoming and remaining great.

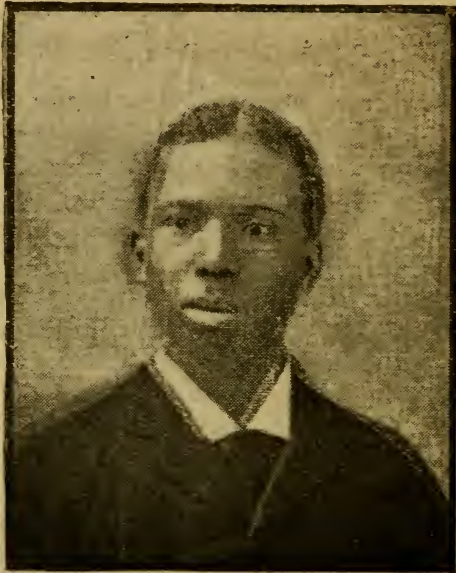
CHAPTER XXV.

THE GREAT POET.

Paul Lawrence Dunbar, born in Dayton, Ohio, in 1872, sprang thence into universal esteem and renown as one of America's greatest poets. Mr. Dunbar was of pure African descent and came up under all the hardships and inconveniences peculiar to his people.

Of him Mr. W. D. Howells, the greatest Southern man of letters, said: "What struck me in reading Mr. Dunbar's poetry was what had struck his friends in Ohio and Indiana, in Kentucky and Illinois. They felt, as I felt, that however gifted his race had proven itself in music, in oratory, in several of the other arts, here was the first instance of an American Negro who had evinced innate distinction in literature. In my criticism of his book I had alleged Dumas in France, and I forgetfully failed to allege the far greater Pushkin in Russia; but these were both mulattoes, who might have been disposed to derive their qualities from the little white blood in them, which was vastly more artistic than ours, and who were the creatures of an environment more favorable to their literary development. So far as I could

remember, Paul Dunbar was the only man of pure African blood and American civilization to feel the Negro life æsthetically and express it lyrically. It seems to me that this had come to



Paul Lawrence Dunbar.

its most modern consciousness in him, and that his brilliant and unique achievement was to have studied the American Negro objectively, and to have represented him as he found him to be, with humor, with sympathy, and yet with what

the reader must instinctively feel to be entire truthfulness. I said that a race which had come to this effect in any member of it had attained civilization in him, and I permitted myself the imaginative prophecy that the hostilities and the prejudices which had so long constrained his race were destined to vanish in the arts; that these were to be the final proof that God had made of one blood all nations of men. I thought his merits positive and not comparative; and I held that if his black poems had been written by a white man I should not have found them less admirable. I accept them as an evidence of the essential unity of the human race, which does not think and feel black in one and white in another, but humanity in all.

“W. D. HOWELLS.”

Mr. Dunbar has published several volumes of his poetic and prose selections that show him to the reading public to be a genius of the first magnitude. He has crystalized the folk lore and idiomatic language of his people and did for the Negro dialect of former times, by means of the finest art, what Chaucer did for the Old English. Excerpts from two of Mr. Dunbar's poems in Negro dialect, “When Malindy Sings” and “The Party,” are given:

WHEN MALINDY SINGS.

G'way an' quit dat noise, Miss Lucy—
 Put dat music box away;
 What 's de use to keep on tryin'?
 Ef you practice twell you're gray,
 You cain't sta't no notes a-flyin'
 Lak de ones dat rants and rings
 F'om de kitchen to de big woods
 When Malindy sings.

You ain't go de nachel o'gans
 Fu' to make de soun' come right,
 You ain't got de tu'ns an' twistin's
 Fu' to make it sweet an' light.
 Tell you one thing now, Miss Lucy,
 An' I 'm tellin' you fu' true,
 When hit comes to raal right singin',
 'T ain't no easy thing to do.

Easy 'nough fu' folks to holah,
 Lookin' at de lines an' dots,
 When dey ain't no one kin sence it,
 An' de chune comes in, in spots;
 But fu' real melojous music,
 Dat jes' strikes yo' hea't an' clings.
 Jes' you stan' an' listen wif me
 When Malindy sings.

Ain't you nevah hyead Malindy?
 Blessed soul, tek up de cross!
 Look hyeah, ain't you jokin', honey?
 Well, you don't know what you los'.
 Y' ought to hyeah dat gal a-wa'blin',
 Robins, la'ks, an' all dem things,
 Heish dey moufs an' hides dey faces
 When Malindy sings.

Fiddlin' man jes' stop his fiddlin',
 Lay his fiddle on de she'f;
 Mockin'-bird quit tryin' to whistle,
 'Cause he jes' so shamed hisse'f.
 Folks a-playin' on de banjo
 Draps dey fingahs on de strings—
 Bless yo' soul—fu'gits to move 'em,
 When Malindy sings.

She jes' spreads huh moufh an' hollahs,
 "Come to Jesus," twell you hyeah
 Sinnahs' tremblin' steps an' voices,
 Timid-lak a-drawin' neah;
 Den she tu'ns to "Rock of Ages,"
 Simply to de cross she clings,
 An' you fin' yo' teahs a-drappin'
 When Malindy sings.

Who dat says dat humble praises
 Wif de Master nevah counts?
 Heish yo' mouf, I hyeah dat music,
 Ez hit rises up an' mounts—
 Floatin' by de hills an' valleys,
 Way above dis buryin' sod,
 Ez hit makes its way in glory
 To de very gates of God!

Oh, hit's sweetah dan de music
 Of an edicated band;
 An' hit's dearah dan de battle's
 Song o' triumph in de lan'.
 It seems holier dan evenin'
 When de solemn chu'ch bell rings,
 Ez I sit an' ca'mly listen
 While Malindy sings.

Towsah, stop dat ba'kin', hyeah me!
 Mandy, mek dat chile keep still;
 Don't you hyeah de echoes callin'
 F'om de valley to de hill?
 Let me listen, I can hyeah it,
 Th'oo de bresh of angel's wings,
 Sof' an' sweet, "Swing Low, Sweet Chariot,"
 Ez Malindy sings.

THE PARTY.

Dey had a gread big pahty down to Tom's de
othah night;
Was I dah? You bet! I nevah in my life see
sich a sight;
All de folks f'om fou' plantations was invited, an'
dey come,
Dey come troopin' thick ez chillun when dey
hyeahs a fife an' drum.
Evahbody dressed deir fines'—Heish yo' mouf an'
git away,
Ain't seen no sich fancy dressin' sence las' quah'tly
meetin' day;
Gals all dressed in silks an' satins, not a wrinkle
ner a crease,
Eyes a-battin', teeth a-shinin', haih breshed back
ez slick ez grease;
Shu'ts all tucked an' puffed an' ruffled, evah
blessed seam an' stitch;
Ef you 'd seen 'em wif deir mistus, could n't
swahed to which was which.
Men all dressed up in Prince Alberts, swallertails
'u'd tek yo' bref!
I cain't tell yo' nothin' 'bout it, y' ought to seen
it fu' yo'se'f.
Who was dah? Now who you askin'? How you
'spect I gwine to know?
You mus' think I stood an' counted evahbody
at de do'.

Ole man Babah's house-boy Isaac, brung dat gal,
Malindy Jane,
Huh a-hangin' to his elbow, him a-struttin' wif
a cane;
My, but Hahvey Jones was jealous! seemed to
stick him lak a tho'n;
But he laughed with Viney Cahteh, tryin' ha'd
to not let on,
But a pusson would 'a' noticed f'om de d'rection
of his look,
Dat he was watchin' ev'ry step dat Ike an' Lindy
took.
Ike he foun' a cheer an' asked huh: "Won't
you set down?" wif a smile,
An' she answe'd up a-bowin, "Oh, I reckon 't ain't
wuth while."
Dat was jes' fu' style, I reckon, 'cause she sot
down jes' de same,
An' she stayed dah twell he fetched huh fu' to
jine some so't o' game;
Den I hyeahd him sayin' propah, ez she riz to
go away,
"Oh, you raly mus' excuse me, fu' I hardly keers
to play."
But I seen huh in a minute wif de othahs on de
flo'.
An' dah wasn't any one o' dem a-playin' any
mo';
Comin' down de flo' a-bowin' an' a-swayin' an
a-swingin',

Puttin' on huh high-toned mannahs all de time
dat she was singin':

"Oh, swing Johnny up an' down, swing him all
aroun',

Swing Johnny up an' down, swing him all aroun',

Oh, swing Johnny up an' down, swing him all
aroun',

Fa' you well, my dahlin'."

Had to laff at ole man Johnson, he's a caution
now, you bet—

Hittin' close onto a hunderd, but he's spry an'
nimble yet;

He 'lowed how a-so't o' gigglin', "I ain't ole, I'll
let you see,

D'ain't no use in gittin' feeble, now you young-
stahs jes' watch me,"

An' he grabbed ole Aunt Marier—weighs th'ee
hunderd mo'er less,

An' he spun huh 'roun' de cabin swingin' Johnny
lak de res'.

Evahbody laffed an' hollahed: "Go it! Swing
huh, Uncle Jim!"

An' he swung huh, too, I reckon, lak a youngstah,
who but him.

Dat was bettah 'n young Scott Thomas, tryin' to
be so awful smaht.

You know when dey gits to singin' an' dey comes
to dat ere paht:

"In some lady's new brick house,

In some lady's gyahden.

Ef you don't let me out, I will jump out,
 So fa' you well, my dahlin'."

Den dey's got a circle 'roun' you, an' you's got
 to break de line;

Well, dat dahky was so anxious, lak to bust his-
 se'f a-tryin';

Kep' on blund'rin' 'roun' an' foolin' 'twell he giv'
 one gred big jump,

Broke de line, an' lit head-fo'most in de fiahplace
 right plump;

Hit 'ad fiah in it, mind you; well, I thought my
 soul I'd bust,

Tried my bes' to keep f'om laffin', but hit seemed
 like die I must!

Y' ought to seen dat man a-scramblin' f'om de
 ashes an' de grime.

Did it bu'n him! Sich a question, why he didn't
 give it time;

Th'owed dem ashes an' dem cindahs evah which-
 a-way I guess,

An' you nevah did, I reckon, clap yo' eyes on
 sich a mess;

Fu' he sholy made a picter an' a funny one to
 boot,

Wif his clothes all full o' ashes an' his face all
 full o' soot.

Well, hit laked to stopped de pahty, an' I reckon
 lak ez not

Dat it would ef Tom's wife, Mandy, hadn't hap-
 pened on de spot,

To invite us out to suppah—well, we scrambled
to de table,
An' I lak to tell you 'bout it—what we had
—but I ain't able,
Mention jes' a few things, dough I know I hadn't
orter,
Fu' I know't will staht a hank'rin' an' yo' mouf
'll 'mence to worter.
We had wheat bread white ez cotton an' a egg
pone jes like gol',
Hog jole, bilin' hot an' steamin', roasted shoat an'
ham sliced cold—
Look out! What's de mattah wif you? Don't be
fallin' on de flo';
Ef it's go'n' to 'fect you dat way, I won't tell you
nothin' mo'.
Dah now—well, we had hot chittlin's—now you's
tryin' ag'in to fall,
Cain't you stan' to hyeah about it? S'pose you'd
been an' seed it all;
Seed dem gread big sweet peraters, layin' by de
possum's sde,
Seed dat coon in all his gravy, reckon den you'd
up an' died!
Mandy' lowed "You all mus' 'scuse me, d'wa'n't
much upon my she'ves,
But I's done my bes' to suit you, so set down an'
he'p yo'se'ves."
Tom, he 'lowed: "I don't b'lieve in 'pologisin'
an' perfessin',

Let 'em tek it lak dey ketch it. Eldah Thompson,
ask de blessin'."

Wish you'd seed dat colo'ed preachah cleah his
th'oot an' bow his head;

One eye shet, an' one eye open,—dis is evah wud
he said:

"Lawd, look down in tendah mussy on sich gen-
erous hea'ts ez dese;

Make us truly thankful, amen. Pass dat possum,
ef you please!"

Well, we eat and drunk ouah po'tion, 'twell dah
wasn't nothin' lef',

An' we felt jes' like new sausage, we was mos'
nigh stuffed to def!

Tom, he knowed how we'd be feelin', so he had
de fiddlah 'roun',

An' he made us cleah de cabin fu' to dance dat
suppah down.

Jim, de fiddlah, chuned his fiddle, put some rosum
on his bow,

Set a pine box on de table, mounted it an' let
huh go!

He's a fiddlah, now I tell you, an' he made dat
fiddle ring,

'Twell de ol'est an' de lamest had to give der
feet a fling.

Jigs, cotillions, reels an' break-downs, cordrills
an' a waltz er two;

Bless yo' soul, dat music winged 'em an' dem
people lak to flew.

Cripple Joe, de ole rheumatic, danced dat flo'
f'om side to middle,
Th'owed away his crutch an' hopped it, what's
rheumatics 'gainst a fiddle?
Eldah Thompson got so tickled dat he lak to los'
his grace,
Had to tek bofe feet an' hol' dem so's to keep
'em in deir place.
An' de Christuns an' de sinnahs got so mixed up
on dat flo',
Dat I don't see how dey'd pahted ef de trump
had chanced to blow.
Well, we danced dat way an' capahed in de mos'
redic'lous way,
'Twell de roostahs in de bahnyard cleahed deir
th'oats an' crowed fu' day.
Y' ought to been dah, fu' I tell you evahthing
was rich an' prime,
An' dey ain't no use in talkin', we jes' had one
scrumptious time!

—From Lyrics of Lowly Life.

CONSTITUTION OF THE UNITED STATES

PREAMBLE.

WE, the people of the United States,¹ in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE I.—LEGISLATIVE DEPARTMENT.

SECTION 1.—CONGRESS.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

¹ As originally adopted by the convention, this clause began with the words, "We, the people of the States of New Hampshire, Massachusetts, Rhode Island" etc., naming each of the thirteen. But it was agreed that only nine states ratifying should be sufficient to establish the Constitution between themselves, and as it was impossible to foretell which states would compose the number ratifying, the language of the preamble was changed to a general term to include the people of such states as should favor the new government.

The articles of Confederation were established by the states, acting in most instances through their Legislatures; the Constitution was established by the states, acting in all cases through conventions of their people.

SECTION 2.—HOUSE OF REPRESENTATIVES.

Election of Members.

The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors² in each State shall have the qualifications requisite for electors₂ of the most numerous branch of the State Legislature.

Qualifications.

No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Apportionment.

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers,³ which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.⁴ The actual enumeration shall be

² "Electors," meaning voters. Persons whom a state permits to vote for representatives in the lower House of its Legislature are here given the right to vote for representatives in Congress.

³ At present (1895) there is one representative for every 173,901 persons.

⁴ "Persons" here means slaves. The Fourteenth and Fifteenth Amendments annul this provision.

made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative: and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three; Massachusetts, eight; Rhode Island and Providence Plantations, one; Connecticut, five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland, six; Virginia, ten; North Carolina, five; South Carolina, five; Georgia, three.

Vacancies.

When vacancies happen in the representation from any State, the executive authority⁵ thereof shall issue writs of election to fill such vacancies.

Officers.—Impeachment.

The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

SECTION 3.—SENATE.

Number of Senators.—Election.

The Senate of the United States shall be composed of two Senators from each State, chosen by

⁵ Governor.

the Legislature thereof, for six years; and each Senator shall have one vote.

Classification.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class, at the expiration of the fourth year; of the third class, at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the executive⁶ thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

Qualifications.

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

President of Senate.

The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

⁶ Governor.

Officers.

The Senate shall choose their other officers, and also a President *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

Trials of Impeachment.

The Senate shall have the sole power to try all impeachments: When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in Case of Conviction.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.

SECTION 4.—BOTH HOUSES.

Manner of Electing Members.

The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time, by law,

make or alter such regulations, except as to the places of choosing Senators.⁷

Meetings of Congress.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION 5.—THE HOUSES SEPARATELY.

Organization.

Each house shall be the judge of elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

Rules.

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Journal.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment re-

⁷ Otherwise, Congress would have power to fix the places of meeting of State Legislatures.

quire secrecy, and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Adjournment.

Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECTION 6.—PRIVILEGES AND DISABILITIES OF MEMBERS.

Pay and Privileges of Members.

The Senators and Representatives shall receive a compensation^s for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

Prohibitions on Members.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emol-

^s \$5000 a year, and twenty cents for every mile traveled by direct route to and from the capital.

uments whereof shall have been increased, during such term; and no person holding any office under the United States, shall be a member of either house during his continuance in office.

SECTION 7.—METHOD OF PASSING LAWS.

Revenue Bills.

All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

How Bills Become Laws.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the

President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Resolutions, etc.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION 8.—POWERS GRANTED TO CONGRESS.

Powers of Congress.

The Congress shall have power:

To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

To establish a uniform rule of naturalization,⁹ and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish postoffices and postroads;

To promote the progress of science and useful arts, by securing, for limited times, to authors and inventors the exclusive right to their respective writings and discoveries;¹⁰

To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

To declare war, grant letters of marque and reprisal,¹¹ and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

⁹ The legal process by which a foreigner becomes entitled to the rights and privileges of a citizen of the United States.

¹⁰ Authors secure "copyrights" on their writings; inventors, "patents" on their inventions.

¹¹ Letters granted by the government to private citizens in time of war, authorizing them, under certain conditions, to capture the enemy's ships.

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings;—And

Implied Powers.

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

SECTION 9.—POWERS FORBIDDEN TO THE UNITED STATES.

Absolute Prohibitions on Congress.

The emigration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.¹²

The privilege of the writ of habeas corpus¹³ shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder¹⁴ or ex-post-facto law¹⁵ shall be passed.

No capitation¹⁶ or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any State.

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to,

¹² "Persons" meaning slaves; in 1808 Congress prohibited the importation of slaves.

¹³ An official document requiring an accused person who has been imprisoned awaiting trial to be brought before a judge to inquire whether he may be legally held.

¹⁴ An act of a legislative body inflicting the death penalty without trial.

¹⁵ A law relating to the punishment of acts committed before the law was passed.

¹⁶ Capitation tax, poll tax.

or from, one State, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the Treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

SECTION 10.—POWERS FORBIDDEN TO THE STATES.

Absolute Prohibitions on the States.

No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex-post-facto law, or law impairing the obligation of contracts, or grant any title of nobility.

Conditional Prohibitions on the States.

No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use

of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships-of-war, in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.—EXECUTIVE DEPARTMENT.

SECTION I.—PRESIDENT AND VICE-PRESIDENT.

Term.

The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected, as follows:

Electors.

Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

Proceedings of Electors and of Congress.

[¹⁷The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall, in like manner, choose the President. But in choosing the President, the vote shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In

¹⁷ This paragraph in brackets has been superseded by the Twelfth Amendment.

every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.]

Time of Choosing Electors.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.¹⁸

Qualifications of President.

No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years resident within the United States.

Vacancy.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of

¹⁸ The electors are chosen on the Tuesday following the first Monday in November, next before the expiration of a presidential term. They vote (by Act of Congress of Feb. 3, 1887) on the second Monday in January following, for President and Vice-President. The votes are counted, and declared in Congress on the second Wednesday of the next February.

removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President; and such officer shall act accordingly until the disability be removed, or a President shall be elected.

Salary.

The President shall, at stated times, receive for his services a compensation¹⁹ which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Oath.

Before he enter on the execution of his office, he shall take the following oath or affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States."

SECTION 2.—POWERS OF THE PRESIDENT.

Military Powers.—Reprieves and Pardons.

The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal

¹⁹ The President now receives \$50,000 a year; the Vice-President, \$8000.

officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

Treaties.—Appointments.

He shall have the power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

Fill Vacancies.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SECTION 3.—DUTIES OF THE PRESIDENT.

Message.—Convene Congress.

He shall from time to time give to Congress information of the state of the Union, and recom-

mend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION 4.—IMPEACHMENT.

Removal of Officers.

The President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.—JUDICIAL DEPARTMENT.

SECTION I.—UNITED STATES COURTS.

Courts Established.—Judges.

The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation²⁰

²⁰ The Chief Justice of the Supreme Court receives \$10,500 a year; the associate justices, \$10,000.

which shall not be diminished during their continuance in office.

SECTION 2.—JURISDICTION OF UNITED STATES COURTS.

Federal Courts in General.

The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;—to all cases affecting ambassadors, other public ministers, and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party;—to controversies between two or more States;—between a State and citizens of another State;²¹—between citizens of different States;—between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign states, citizens or subjects.

Supreme Court.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such

²¹ But compare Amendment XI.

exceptions and under such regulations as the Congress shall make.

Trials.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION 3.—TREASON.

Treason Defined.

Treason against the United States shall consist only in levying war against them, or in adhering to her enemies, giving them aid and comfort.

No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Punishment.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.—RELATIONS OF THE
STATE TO EACH OTHER.

SECTION 1.—OFFICIAL ACTS.

Full faith and credit shall be given in each State to the public acts, records and judicial pro-

ceedings of every other State. And the Congress may by general laws, prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SECTION 2.—PRIVILEGES OF CITIZENS.

The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

Fugitives From Justice.

A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

Fugitive Slaves.

No person²² held to service in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SECTION 3.—THE NEW STATES AND TERRITORIES.

Admission of States.

New States may be admitted by the Congress into this Union but no new State shall be formed

²² "Person" here includes slaves. This was the basis of the Fugitive Slave Law. It is now superseded by Amendment XIII.

or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned as well as of the Congress.

Territory and Property of United States.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

SECTION 4.—PROTECTION OF THE STATES.

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion, and on application of the Legislature, or of the Executive (when the Legislature can not be convened) against domestic violence.

ARTICLE V.—AMENDMENTS.

How Proposed.—How Ratified.

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this

Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.—GENERAL PROVISIONS.

Public Debt.

All debts contracted, and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the confederation.

Supremacy of Constitution.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

Official Oath.—Religious Test.

The Senators and Representatives before mentioned, and the members of the several State Leg-

islatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.—RATIFICATION OF THE CONSTITUTION.

The ratification of the Conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same. .

Done in convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America the twelfth.

In witness whereof, we have hereunto subscribed our names.

GEORGE WASHINGTON,
President, and Deputy from Virginia.

NEW HAMPSHIRE.

JOHN LANGDON,
NICHOLAS GILMAN.

MASSACHUSETTS.

NATHANIEL GORHAM,
RUFUS KING.

CONNECTICUT.

WILLIAM SAMUEL JOHNSON,
ROGER SHERMAN.

NEW YORK.

ALEXANDER HAMILTON.

NEW JERSEY.

WILLIAM LIVINGSTON,
DAVID BREARLEY,
WILLIAM PATERSON,
JONATHAN DAYTON.

PENNSYLVANIA.

BENJAMIN FRANKLIN,
THOMAS MIFFLIN,
ROBERT MORRIS,
GEORGE OLYMER,
THOMAS FITZSIMONS,
JARED INGERSOLL,
JAMES WILSON,
GOUVERNEUR MORRIS.

DELAWARE.

GEORGE READ,
GUNNING BEDFORD, JR.,
JOHN DICKINSON,
RICHARD BASSETT,
JACOB BROOM.

MARYLAND.

JAMES M'HENRY,
DANIEL OF ST. THOMAS
JENIFER,
DANIEL CARROLL.

VIRGINIA.

JOHN BLAIR,
JAMES MADISON, JR.

NORTH CAROLINA.

WILLIAM BLOUNT,
RICHARD DOBBS SPAIGHT,
HUGH WILLIAMSON.

SOUTH CAROLINA.

JOHN RUTLEDGE,
CHARLES C. PINCKNEY,
CHARLES PINCKNEY,
PIERCE BUTLER,

GEORGIA.

WILLIAM FEW,
ABRAHAM BALDWIN.

Attest: WILLIAM JACKSON, Secretary.

AMENDMENTS.

Religion, Speech, Press, Assembly, Petition.

ARTICLE I.²³—Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the

²³ The first ten amendments were proposed by Congress in 1789, and adopted in 1791. They are often called the Bill of Rights, and they are intended to guard more efficiently the rights of the people and of the States.

people peaceably to assemble, and to petition the government for redress of grievances.

Militia.

ARTICLE II.—A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

Soldiers.

ARTICLE III.—No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war but in a manner to be prescribed by law.

Unreasonable Searches.

ARTICLE IV.—The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

Criminal Prosecutions.

ARTICLE V.—No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war and public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled

in any criminal case to be a witness against himself, nor to be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI.—In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Suits at Common Law.

ARTICLE VII.—In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of common law.

Bail, Punishments.

ARTICLE VIII.—Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Reserved Rights and Powers.

ARTICLE IX.—The enumeration in the Consti-

tution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X.—The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Judicial Power Granted.

ARTICLE XI.²⁴—The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against any citizen of the United States by citizens of another State, or by citizens or subjects of any foreign state.

Method of Electing President and Vice-President.

ARTICLE XII.²⁵—The electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which list they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate;—the President of the Senate shall, in the

²⁴ Proposed in 1794; adopted 1798.

²⁵ Adopted 1804.

presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted;—the person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the

whole number of senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

Slavery Abolished.

ARTICLE XIII.²⁶—*Section 1.* Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

Negroes Made Citizens.

ARTICLE XIV.²⁷—*Section 1.* All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their re-

²⁶ Adopted 1865.

²⁷ Adopted 1868.

spective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive or judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President or Vice-President, or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each house, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including

debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Negroes Made Voters.

ARTICLE XV.²⁸—*Section 1.* The rights of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

²⁸ Adopted 1870.

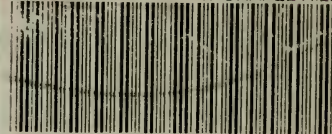
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